



PLANNING CONTROL COMMITTEE
15 October 2015

ITEM 8

Report of the Director of Strategic Partnerships,
Planning and Streetpride

Applications to be Considered

SUMMARY

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

RECOMMENDATION

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

REASONS FOR RECOMMENDATION

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

SUPPORTING INFORMATION

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

OTHER OPTIONS CONSIDERED

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

This report has been approved by the following officers:

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

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Item No.	Page No.	Application No.	Address	Proposal	Recommendation
1	1 - 51	06/15/00846	Land at Hackwood Farm, Radbourne Lane, Mickleover (access from Starflower Way).	Residential development (up to 370 dwellings), retail units, open space and associated infrastructure.	A. To authorise the Director of Director of Strategy Partnerships, Planning and Streetpride to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Governance to enter into such an agreement. B. To authorise the Director of Strategy Partnerships, Planning and Streetpride to grant permission upon conclusion of the above Section 106 Agreement.
		06/15/00847	Land at Hackwood Farm, Radbourne Lane, Mickleover.	Residential development (up to 40 dwellings), primary school, open space, drainage works, formation of access and associated infrastructure and landscaping.	
2	52 - 209	02/15/00210	River Derwent Corridor including sites from Darley Abbey, Little Chester, Chester Green, North Riverside, Bass Rec', Pride Park to Alvaston Park, Derby	Outline application with full details of 'Package 1' for flood defence works along the river corridor involving; demolition of existing buildings, boundary treatments and flood defence walls, removal of existing flood embankments, vegetation and trees, the raising, strengthening, realigning and construction of new flood defence walls, embankments, access ramps and steps, demountable flood defences and flood gates, the construction of replacement buildings, structures and community facilities, alterations to road, footpath and cycle way layouts along with associated and ancillary operational development in the form of ground works, archaeological investigation works and landscaping works to reinstate sites with environmental enhancements included.	To grant planning permission with conditions

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3	210 - 216	06/15/00794	4 Lorraine Close, Shelton Lock.	Single storey extension to existing bungalow (living/dining area, hall, bedrooms, en-suite, bathroom and w.c.) and erection of an additional bungalow	To grant planning permission with conditions
4	217 - 221	06/15/00837	230 Derby Road, Chellaston.	Two storey and single storey front and single storey side extensions to dwelling house (utility, kitchen, double garage, store, w.c., cloakroom, entrance hall, gallery, bedrooms, en-suites and walk-in wardrobes)	To grant planning permission with conditions

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Application No: DER/06/15/00846 & DER/06/15/00847 **Type:** Outline, 06/15/00847 –
With Means of Access

1. Application Details

Address: Land at Hackwood Farm, Radbourne Lane, Mickleover

Ward: Mickleover

Proposal:

1. Erection of 370 dwellings, retail units, open space and associated infrastructure
2. Erection of 40 dwellings and primary school, including open space, drainage works, landscaping, access and infrastructure

Further Details:

Web-link to application:

DER/06/15/00846:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 98482>

DER/06/15/00847:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 98483>

These two revised outline applications for residential development have been submitted, following the refusal of outline permission for the previous applications in February 2015. Some members may recall that permission was refused by the committee, on the grounds that the development would have severe cumulative impact on the local highway network, in respect to traffic generation and that it would not be adequately connected to the Mickleover District Centre.

The current outline applications are supported by a Planning and Transportation Addendum, which provides further transport and highways information to address the two reasons for refusal. An updated Hydraulic Modelling Study has also been submitted, which assesses the current flood risk on the site and the impact of the proposed flood alleviation scheme. In all other aspects, the proposals have not been altered from the previous submission.

Brief description:

Outline permission is sought for residential development and associated infrastructure, relating to land at Hackwood Farm, off Radbourne Lane, which lies just to the north of Mickleover. The site is located on the western edge of the city, where it borders the adjacent local authorities of Amber Valley and South Derbyshire districts. It is a green field site, which comprises of agricultural land and an existing farm complex, which is centrally located within the site. The farm is currently accessed from Radbourne Lane via a single track road. The land is subdivided by hedgerow field boundaries and numerous trees, including some veteran trees. The site is on a gently sloping gradient, which falls from north to south, from Radbourne Lane along the northern boundary to the disused railway cycle route and footpath on the southern boundary. There is a relatively recent housing development to the east of the site on Radbourne Gate and Starflower Way and the Ladybank Road housing estate, which lies directly to the south. A public footpath runs along the western

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boundary with South Derbyshire district, linking Radbourne Lane with the Ladybank Road estate to the south.

The outline proposal for residential development covers a cross-boundary site, with erection of up to 410 dwellings in the city and up to 290 dwellings on land in South Derbyshire district to the west of the city boundary.

This report makes a recommendation solely on the development proposed within the city's area, although consideration must be given to the overall housing scheme and the indicative concept masterplan for the whole site, which would deliver up to 700 dwellings.

The masterplan site, including the South Derbyshire element comprises approx. 41.26 hectares of land. The development site within the city is approximately 27 hectares in area and has been submitted in two applications:

DER/06/15/00846 (Phase 1) is an outline scheme relating to approx. 21 hectares, with all matters reserved and is for up to 370 dwellings, provision of a local retail centre, incorporating the existing farm buildings, public open space, surface water attenuation works and associated infrastructure, which indicates a new access linking onto Starflower Way.

DER/06/15/00847 (Phase 2a) is an outline scheme relating to approx. 6 hectares, with means of access to be determined at this stage and all other matters reserved. It is for up to 40 dwellings, provision of a primary school, public open space, surface water attenuation works, associated infrastructure and formation of a new access onto Radbourne Lane.

A concept masterplan has been submitted in support of both applications, to demonstrate the potential urban design and layout for the development. At this stage the masterplan is indicative only and would not form part of any approved documents list.

Environmental Statement

Both planning applications are supported by an Environmental Statement (ES), prepared under the Environmental Impact Assessment Regulations 2011. The proposed residential development is considered to be a Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The development is classed as an "Infrastructure Project" and falls under Section 10 (b) of Schedule 2. The development is considered likely to have significant effects on the environment by reason of the cumulative impact of the proposal, with a committed residential scheme for 600 dwellings, (within Amber Valley district), just north of the site on Radbourne Lane.

The applicant has carried out a full Environmental Impact Assessment (EIA), which examines the environmental effects of the project and proposes mitigation measures where necessary. The Environmental Statement has been prepared in accordance with the requirements of the 2011 Regulations. The Environmental Statement is also accompanied by a Non-Technical Summary. Both applications are accompanied by an Environmental Statement.

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Addenda to the Environmental Statement were submitted in December 2013 and November 2014, with amendments to the flood risk assessment and hedgerow assessment, further noise assessment and ecological survey reports to address comments made by consultees, under the previous applications.

A Planning and Transportation Addendum has been submitted in support of the current applications, which include updated information on the transport and highways impacts of the development. A revised Hydraulic Modelling Study has also been provided to assess the flood risk on site and the impacts of the proposed alleviation scheme. All of these documents should provide a clear understanding of the potential significant effects of the development upon the environment and the mitigation measures proposed to overcome or avoid the effects. Public consultation and publicity has been carried out, in respect to those ES Addenda, as required in line with the EIA Regulations 2011.

Since the Environmental Statement was prepared and Addenda added, there have been further strategic housing sites proposed, to the west of Mickleover in South Derbyshire district. Consideration has been given as to whether the potential additional housing sites, which are being assessed through both the Local Plan process and by the submission of planning applications, should be evaluated by means of a further environmental impact assessment, to consider the cumulative impact of these housing proposals with the current proposals for Hackwood Farm.

In order to be satisfied whether the cumulative effects of the additional housing proposals west of Mickleover require further assessment under the EIA Regulations, the Planning Practice Guidance provides guidance upon when cumulative effects should be assessed (para. 24). It states that *“The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.”* Existing or approved development refers to proposals which have the benefit of planning permission or form part of an adopted Local Plan allocation.

South Derbyshire District Council has recently agreed in principle to addition of 1650 dwellings in their Local Plan Part 1 and these will need to be subject to further appraisal and a public consultation process before being scrutinised at the rescheduled Local Plan Examination. The proposed allocation is not yet approved via a planning application or adoption of the Local Plan and is unlikely to come forward in the near future, certainly during the life of the current applications for Hackwood Farm. It would not therefore have to be considered as part of the Hackwood Farm application via an addendum to the ES.

Outline planning applications for land at Newhouse Farm, for up to 300 dwellings have recently been granted permission on appeal and this site is therefore now an approved development for the purposes of assessing a cumulative impact of other developments. This site forms part of the proposed housing allocation for South Derbyshire’s Local Plan. The main cumulative effects resulting from the Newhouse Farm development are considered to be traffic, and the associated noise and air quality impacts. The Newhouse Farm Site lies outside the extents of the study area which were considered in the Transport Assessment work for the Hackwood Farm

site. The main trip attractor when considering the Newhouse Farm site would inevitably be Derby City and environs, and hence the vast majority of traffic will travel via the A516/A38 and then east to and from the city. An insignificant amount of traffic is likely travel north from the site, using the route via Station Road and Radbourne Lane, as more direct, quicker routes are available between Newhouse Farm and the city centre. In light of this, the insignificant amount of traffic from the Newhouse Farm development would not result in any 'significance' concerns when assessing the cumulative traffic impact at the study area junctions, as considered as part of the Transport Assessment for Hackwood Farm. For the purposes of EIA, this is within the context of the Guidelines for the Environmental Assessment of Road Traffic (IEA Guidelines) which recommend two rules to be considered when assessing the effect of development traffic on a highway link:

- Rule 1: Include highway links where traffic flows will increase more than 30%; and
- Rule 2: Include any other specifically sensitive areas where traffic flows have increased by 10% or more.

On this assumption, the conclusions of the Transport Assessment which forms part of the ES are still considered to be valid, which are that the cumulative effects associated with the Newhouse Farm proposal would not be significant and that no further assessment of environmental impacts is required.

A current outline application for up to 252 dwellings to be served off Ladybank Road, is likely to have some traffic impacts on Station Road, although this development proposal is not approved. It does not therefore need to be considered as part of the cumulative effect for the Hackwood Farm ES.

It is therefore concluded that the proposed housing allocations in South Derbyshire do not give rise to any significant cumulative impacts, which are of sufficient significance to affect any of the conclusions or proposed mitigations as set out in the submitted ES and its Addenda.

The main topic areas and conclusions of the ES are summarised below with additional information and comments provided by consultees and others later in the report.

Transport impacts

The impacts on the local transport network of the development as a result of the predicted traffic demand associated with this development and other permitted/ planned development in the local area, have been assessed. A separate Transport Assessment has been provided to support the whole development.

Construction traffic would access the site via Radbourne Lane. A potential minor adverse effect is predicted in terms of pedestrian amenity and driver delay. Mitigation measures are proposed to minimise potential nuisance from construction activity.

Once the development is occupied there is potential for some adverse impacts, specifically at the Radbourne Lane/ Station Road junction in terms of driver delay, pedestrian amenity and severance. Proposals to construct a new junction at

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Radbourne Lane/ Station Road, would reduce driver delay, improve pedestrian amenity and mitigate any adverse effect.

In support of the current application, a Planning and Transportation Addendum has been submitted. It confirms that a cumulative traffic assessment was undertaken as part of the Transport Assessment and this takes account of traffic generation from other planned developments in the area. It provides further details of the traffic impact at the Station Road/ Radbourne Lane junction. The queue lengths at the junction are expected to be significantly reduced as a result of the proposed development and the introduction of a roundabout junction. The roundabout would also improve visibility for drivers to the left along Radbourne Lane thereby providing highway safety improvements at the junction. The impact of the development is considered to result in significant benefits to the highway network in terms of highway capacity and road safety.

Improvements to the proposed bus service for the development are to be provided by extending the service between the site and the city centre and Mickleover District Centre.

Landscape and visual impacts

The elements of site and surrounding area which are important in terms of landscape character and resources are identified and the extent that these would be affected by the proposals. The assessment has identified that the long-term effects of the development on landscape resources would be slightly beneficial. The development is considered to have a slightly adverse effect on landscape character, arising from the change from agricultural to residential and community uses.

The landscaping strategy for the development would ensure that the scheme is acceptable in landscape and visual terms through the preparation of a masterplan, with careful consideration of development scale and form, site planning and appearance. Impacts would be limited through the delivery of a substantial green infrastructure strategy for the site comprising about a third of the site, to create permeability, connectivity and integration with the wider landscape and the strategic green infrastructure network in the study area. The new green infrastructure would assist in reducing the likely visual effects of development over time and deliver open spaces with improved opportunities for recreation and ecology.

Noise impacts

An assessment of noise and vibration impacts associated with the construction and occupied development has been undertaken and considers the traffic noise generated by the proposal. The cumulative impact of the committed Radbourne Lane development with the proposal has been assessed and results conclude that traffic flow changes result in negligible changes in environmental noise levels.

The use of best practice mitigation measures for the construction phase would ensure minimum noise levels at closest noise sensitive properties.

Assessment of road traffic flow changes have established that for the majority of road links in the surrounding area, changes to existing noise levels will be negligible.

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For Starflower Way, there would be the largest change in vehicle flows, resulting in a major impact in the short term and a moderate impact in the long term. Starflower Way would become the access road into the site, therefore a significant increase in traffic flows is inevitable. When compared to current guidance for assessing the suitability of new dwellings the resulting noise levels are not considered significant or excessive. A cumulative assessment of road traffic flows, including traffic associated with the nearby housing development on Radbourne Lane, on surrounding road links has established that changes in existing noise levels would be negligible.

The noise assessment addendum concludes that changes from existing noise levels on Starflower Way at the worst affected receptors would be substantial. However, the predicted noise level is considered commensurate with residential occupation when assessed against related guidance. The overall noise level of 56 db would be at the lower end of Noise Exposure Category B of superceded PPG 24. Noise levels on a housing estate are likely to peak in the early morning and late afternoon and be much lower at other times of the day.

Air quality impacts

An assessment of the potential for the development to have a significant impact on local air quality has been undertaken. In regard to construction activity, there is potential to generate dust emissions, however these would be controlled using on site management practises to the extent that there would be negligible or slight adverse effects on nearest sensitive receptors. The completed development is predicted to have a negligible impact on local air quality. Changes in pollutant concentrations with both the proposed development and committed developments in the area are predicted to be imperceptible or small. The effect on local air quality from the development is therefore negligible and not considered significant.

Archaeological and heritage impacts

The impacts of the proposed development with the committed Radbourne Lane development on below ground archaeological resource and on built heritage in the surrounding area have been assessed. This comprises a desk based assessment, an impact assessment on nearby heritage assets and a geophysical survey of the site.

The development site does not contain any designated heritage assets. There are three statutory listed buildings in the vicinity of the proposed development which are considered potentially sensitive to the development proposal. Radbourne Hall is Grade I listed, Silverhill Farm and Potlocks Farm are both Grade II listed and all lie to the west of the application site. Archaeological surveys have identified ridge and furrow earthworks and low density potential archaeological remains.

Construction activity would result in direct truncation of the archaeological earthworks and remains, which would result in substantial destruction of any remains. However, the impacts on the archaeological remains within the site can be mitigated by preservation by record. With mitigation in place the impacts on the below ground archaeology is considered to be minor/ negligible. The archaeological investigation of the remains on the site would enhance the archaeological record of the region and this is considered a minor positive long term impact.

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The potential impact on Radbourne Hall and Silverhill Farm is considered to be negligible. The likely effect on Potlocks Farm, prior to any mitigation, is considered moderate/ minor, due to the distance of the building from the development, intervening hedgerows and its location on the urban fringe of Mickleover. With mitigation in place (proposed landscape buffer on western boundary) the impact would be minor.

In terms of the cumulative impact, of the development with the committed development at Radbourne Lane, the effect in relation to the listed buildings and their setting is considered to be insignificant.

Ecological impacts

An ecological appraisal has been undertaken for the whole site and surrounding area to identify ecological receptors, potential impacts and proposed mitigation measures.

There are two Local Wildlife Sites within the site (Radbourne Lane hedge and Hackwood Farm pond) and one adjacent to the south of the site (Former rail cutting pedestrian/cycle path). One hedgerow also qualifies as a Local Wildlife site under the Derbyshire selection criteria. There are four ponds within and adjacent to the site, two of which are of local nature conservation value. There are buildings in the site, with moderate potential to support roosting bats.

Significant potential construction effects of the development are identified in terms of loss, disturbance and damage to habitats, including the Local Wildlife Sites. This includes loss of approximately 120 metres of the Radbourne Lane Hedge and 10 metres of the qualifying hedgerow. The junction improvements to Station Road/ Radbourne Lane would result in loss of approximately 140 metres of hedge, one tree and small area of ruderal and scrub vegetation and amenity grassland. Disturbance to bats and bat roosts, to reptiles (great crested newts) and to badger setts, loss of farmland bird habitats are also possible. However, no trees or building with potential for bat roosts are to be removed as part of the proposal. No evidence of badger setts have been found within the site.

Mitigation and enhancement measures are proposed to minimise the potential adverse impacts and taking these into account the following residual effects are predicted:

- Short term loss of habitat of Radbourne Lane Hedge, due to removal and translocation. Beneficial effects in medium and long term due to management, creation of adjacent wildlife corridor and enhancement of hedgerow.
- Increase in length of hedgerow.
- Creation of species rich grassland habitats within public open space
- Creation of balancing areas designed to optimise biodiversity benefit
- Long term management of habitats through a Biodiversity Management Plan to enhance their value for wildlife, particularly nesting birds
- Installation of bat roost and bird nesting features on trees and buildings.

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All ecologically valuable features within the site will be retained and some enhanced. There would be short term adverse effect from removal of part of the Radbourne Lane hedge but long term management and enhancements will result in a local level beneficial effect in medium to long term. Creation and enhancement of habitats would result in overall local level beneficial effects.

An addendum to the ecological appraisal was submitted on 1 September 2014 which covered the following:

- Clarification that the methodology for carrying out Great Crested Newts surveys on the site was undertaken in accordance with relevant guidelines. The surveys established that a small isolated population of Great Crested Newts may be present in Pond 1 and therefore assume that a population is present. The development has taken account of the potential presence of amphibians on site, by retention of ponds and maintenance of connectivity and provision of significant areas of suitable habitat. During construction, it would be necessary to translocate the newts from the working areas under a Natural England licence. These mitigation measures would avoid significant adverse effects on Great Crested Newts from the development.
- A tree which has the potential for supporting bat roosts in the site, is not being identified for removal to enable the development. If necessary, emergence/ re-entry surveys would be carried out post-application to determine if the tree has bat roosts and appropriate mitigation would be put in place as required.
- A lighting strategy for the site is recommended to ensure that illumination of trees with bat roost potential is avoided.
- A further tree which was classified as having low potential for bat roosts has been further inspected and no suitable features for roosting bats were present.
- Buildings on the farm scheduled for demolition were found to have no significant potential to support roosting bats. Stable block and barn to be retained have low to moderate potential for bat roosts.
- The area to west of the farm buildings may qualify as a "Traditional Orchard" habitat of principal importance. The orchard will be retained in the development and recommended that it be managed in the long term as a community feature and maintain its value for biodiversity.

Hydrology and flood risk impacts

A Flood Risk Assessment (FRA) and Drainage Strategy have been submitted to address flood risk and drainage. In terms of watercourses, Egginton Brook runs to the southern boundary of the site and there other surface water features within and close to the site, which include local ditches and a culverted watercourse.

During construction, a short term minor adverse impact on fluvial and surface water flood risk and water quality on site is anticipated. A strategy to implement suitable mitigation measures should be identified. These impacts are expected to have no long term residual effects on flood risk, water quality or water resources.

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The cumulative effect of the two developments is expected to be of moderate beneficial significance due to the potential to alleviate flood risk from properties to the south of the railway cutting.

The FRA and flood alleviation measures proposed have demonstrated that the development will be safe, without increasing flood risk elsewhere. The proposed drainage strategy makes recommendations for the use of Surface Drainage systems (SuDs) to restrict the rate of surface water run-off and also improve water quality. A foul drainage strategy with necessary improvement infrastructure is also proposed to ensure that the existing sewerage system is not overloaded.

An updated Hydraulic Modelling Study has been provided, which assesses current flood risk at the site and the impact of the proposed Flood Alleviation Scheme. The study concludes that some properties on Starflower Way and Spinneybrook Way are currently at risk of flooding. The proposed alleviation scheme would reduce the flood risk to these properties.

The proposal is considered to meet the requirements in the NPPF and as such it is considered suitable in terms of flood risk and drainage.

2. Relevant Planning History:

DER/03/13/00298 – Outline for Erection of up to 370 dwellings, retail units, open space, drainage works and associated infrastructure, Refused permission – February 2015. Appeal lodged against refusal.

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 94452>

DER/06/14/00805 – Outline for erection of up to 40 dwellings, primary school, open space, drainage works and formation of access and associated infrastructure and landscaping, Refused permission – February 2015. Appeal lodged against refusal.

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 96606>

Public inquiry dates scheduled for late January 2016

Reasons for refusal for both applications:

1. In the opinion of the Local Planning Authority, the proposed development would not be sufficiently connected with the Mickleover District Centre in terms of provision of routes for sustainable modes of transport, between the site and the residential areas of Mickleover to the south, to promote non-car trips to and from the Mickleover centre. The development would thereby not provide sufficient opportunities for sustainable transport and is therefore contrary to saved Policies T6, T7 and T8 of the adopted City of Derby Local Plan Review.
2. In the opinion of the Local Planning Authority, the proposed development would result in a severe residual cumulative impact on the local highway network, in particular on Station Road and Radbourne Lane, by reason of the predicted increase in traffic generation from the two principal accesses and as a result of other committed residential development, to the north of the site, off Radbourne

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Lane, which impact on the same local road network. There will be a significant increase in traffic as a consequence of the proposed development and it has not been satisfactorily demonstrated that the traffic impact associated with the proposed development would be sufficiently mitigated by proposed off-site highway improvements, in the form of a roundabout at the Radbourne Lane/Station Road junction and by reason of the potential for “rat-running” traffic on Onslow Road, such that it would result in an unacceptable loss of highway safety. For these reasons, the proposal is contrary to saved Policies T1 and T4 of the adopted City of Derby Local Plan Review and the overarching guidance in the National Planning Policy Framework.

DER/01/14/00104 - Construction of a surface water drainage basin and wetland area together with temporary vehicular access – Application withdrawn

South Derbyshire District Council:

09/2014/0562 – Outline application (all matters reserved) for erection of 290 dwellings, including provision of public open space, drainage works and related infrastructure and landscaping, Land at Hackwood Farm, Radbourne Lane, current application.

3. Publicity:

Neighbour Notification Letter – 183 letters

Site Notices

Statutory Press Advert

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

Prior to submission of the original outline application in 2013, the applicant undertook a public consultation event, which took the form of an exhibition at the Hackwood Farm Shop on the site. Leaflets were delivered to local residents in the area of Station Road and Ladybank Road. Invitations were also sent to Councillors, the local MP and members of the Mickleover Neighbourhood Board. Notices promoting the exhibition were also posted at community facilities and shops in the locality and an advert was placed in the Derby Telegraph.

4. Representations:

90 objections have been received so far to the Phase 1 application (DER/06/15/00846) and 68 objections, with one comment to the Phase 2a application (DER/06/15/00847). These include objections made by both Cllr A.Holmes and Cllr Jones. The main issues raised are as follows:

- The roundabout proposal for the Radbourne Lane/ Station Road junction would not reduce traffic queues.
- Cumulative impact of the housing developments would result in demonstrable harm to the amenities of the local area.

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- Development would have significant traffic impact on local roads. There is limited scope to improve roads in Mickleover.
- Rat running on Onslow Road would be unacceptable and increase congestion.
- Traffic modelling used by applicant is flawed.
- Local schools are already at full capacity and can't take more pupils.
- Local doctors surgeries are already at full capacity and cannot take more patients.
- No improvements to cycle and pedestrian links to the Mickleover centre.
- A flyover at Markeaton Island should be built to deal with increase in traffic from Mickleover.
- Too much new housing being proposed in Mickleover.
- Not enough parks and open countryside needs to be protected to provide open space for residents.
- No safe routes to schools.
- Loss of green fields for housing is unacceptable.
- Increase risk of flooding as a result of the new development.
- Density of housing in Mickleover would be too high.
- Insufficient shopping provision for local residents.
- Surface water drainage systems will require long term maintenance.
- Drainage proposals may not prevent flooding.
- Development in this location is not sustainable.
- Development would be out of character with the local area.
- Loss of wildlife and natural habitat.
- Green Wedge should be protected and not built on.
- Development should use brownfield sites first.

5. Consultations:

Highways DC:

The applicant has included additional information to seek to address the stated reasons for refusal. The original comments dated the 12th February 2015, remain relevant in respect of the re-submitted applications, however additional information has been supplied to support the current applications.

The reasons for refusal can be summarised as:

- Sustainable Transport Connectivity
- Cumulative Traffic Impact

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- Traffic Impact at the Radbourne Lane/Station Road Junction
- Traffic Impact along Onslow Road

Sustainable Transport Connectivity

Originally the developer funded bus service was to run only between the site and the City. The developer is now proposing to extend their bus service to run to the Mickleover centre, there-by providing better access to local services. This service will provide a 30 min frequency between the site and Mickleover for a period of 3 years. The developer has stated that the Hackwood Farm site is likely to be built out by two house builders, which means that the proposed 700 dwellings are likely to take approximately 7 years to complete. The S106 agreement requires the bus service to begin on the occupation of the 150th dwelling. The proposed bus service is to be an extension of the service being provided to serve the Miller/Radleigh site on Radbourne Lane, which in turn will be an extension of the existing 'Mickleover' service. Consequently, by the time the service begins it will already be taking passengers from the Radbourne Lane development and is also likely to benefit from passenger from the existing development at Starflower Way, which is not currently served by a bus service.

Cumulative Traffic Impact

The DATM traffic assessment included the development in Amber Valley off Radbourne Lane.

Traffic Impact at the Radbourne Lane/Station Road Junction

The existing priority junction suffers from poor visibility to the east for drivers emerging from Station Road. Also queues already form on Station Road in both peak periods. The table below seeks to set out the level of mitigation provided by the roundabout proposed by the developer:

The information below is a forecast for the assessment year 2026 for the full 700 dwellings		Queue Length	
		Vehicles	Length (m)
Existing junction without development	Am Peak	16	Approx. 96m
	Pm Peak	55	Approx. 330m
Proposed roundabout without development	Am Peak	1	Approx. 6m
	Pm Peak	2	Approx. 12m
Proposed roundabout with development	Am Peak	2	Approx. 12m
	Pm Peak	5	Approx. 30m

The junction modelling shows that the proposed roundabout is likely to operate significantly better than the existing junction, even with the developments in place. The developer has provided a drawing showing the queue lengths indicated.

Traffic Impact along Onslow Road

The developer accepts the use of the planning condition as suggested in the original highway comments, which states that:

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On occupation of the 200th dwelling an 'origin and destination' survey shall be undertaken in accordance with detail to be submitted to and approved by the LPA. If in the opinion of the LPA the results of that survey indicate that development traffic is rat running long Onslow Road the developer shall propose traffic calming measure to deter the rat running and then provide the measures if the residents of Onslow Road respond favourably to a local consultation.

The suggested condition will safeguard local residents should rat running actually occur and become an issue with local residents.

Previous comments are as follows:

Transport Assessment

Traffic Modelling - The transport assessment has been undertaken using DATM the citywide transport model. The model generally provides a good indication of the distribution of traffic generated by the development. It is important to have an understanding of the likely traffic distribution as the site lies on the edge of the urban area and as the city centre is located to the south east of the site, the vehicular trips are likely to be skewed towards the City via either Station Road and/or Radbourne Lane.

Traffic Generation - The proposed 700 dwellings are likely to produce approximately 500 additional two-way trips in the peak hours when discounts for internal trips to the local centre and primary school are taken into account (see table below):

	In	Out	Total
Am Peak	147	383	530
Pm Peak	331	215	546

Trip Distribution - DATM indicates that the likely split of trips will be:

	Am Peak	Pm Peak
Station Road just south of Starflower Way	259	215
Radbourne Lane to the east of Station Road	252	317
Total	511	532

Note: The totals differ since a small number of vehicles will exit west on Radbourne Lane.

DATM also indicates that some of the trips could use the routes through the estate to the east of Station Road to access Western Road rather than the more direct route via Station Road. There is likely to be some 'rat running' through the estate however within the model the routes through the estate are slightly shorter than the route using Station Road and the model takes no account of the tortuous nature of the estate roads versus the direct route offered by Station Road. It would be impractical to seek to traffic calm the entire estate given the many routes available and the nature of those routes, some of which are bus routes. What would be of concern is if 'rat running' took place along Onslow Road, which is narrow at approximately 4.8m

wide and is signed as part of the national cycle routes 68 and 54. It is suggested that should permission be granted, then on occupation of the 200 dwellings the developer should be required to undertake an 'origin and destination' survey to establish if the traffic generated by the development is 'rat running' along Onslow Road. Then if it is established that rat running is a problem the developer should submit proposals to traffic calm Onslow Road.

Proposed off-site highway improvements

The developer is proposing to mitigate the impact of generated traffic on the junction of Station Road and Radbourne Lane by building a roundabout, as shown for indicative purposes only on Drwg No 10446/101(see Transport Assessment at Appendix O). The roundabout will accommodate the traffic generated by the development and address the existing issue of substandard visibility to the west of the junction for drivers emerging from Station Road onto Radbourne Lane. It is considered that this roundabout should be provided as early as possible in the life of the development and it is suggested that no works are allowed to take place until the phased implementation of the roundabout has been agreed. It should be noted that the provision of this junction improvement is likely to make the Station Road/Radbourn Lane route more attractive to the wider public.

Walking and Cycling

To improve connections between the site and Mickleover to the south, the developer has shown a new pedestrian/cycle bridge over the former railway cutting to link the proposed development to the existing housing stock to the south and this is shown on the indicative master plan. The developer intends to make a contribution via the Section 106 Agreement to provide the bridge at an unspecified date in the future. It should be noted that the former railway cutting is not in the ownership of the City Council (owned by Derbyshire County Council) and that a design showing that the bridge can be built on land within the City Council's/developers control has not been fully agreed. The indicative master plan also shows a new length of footway/cycleway linking the new bridge to Saxondale Ave, to the south of the site. This new length of footway is shown to be on public open space and again I understand it is expected that the footway is to be provided by the City Council using a contribution from the developer.

The indicative master plan shows an extensive network of footway/cycleways proposed within the site, which are linked to the existing highway network to the south of the site via the proposed pedestrian/ cycle bridge and footway link. The delivery of the bridge would be subject to agreement with other land owners.

The site is well related to the National Cycle Routes 68 and 54 and is crossed by designated footpath 'Radbourn 1'. There is also an existing shared use footway/cycleway running along the southern side of Starflower Way. The indicative master plan indicates that this section of shared use footway/cycleway is to be linked within the site to both the national cycle route and to Radbourne Lane.

Public Transport

Once constructed the new pedestrian/cycle bridge discussed above will enable the residents of the Hackwood Farm development to gain access to the 'Mickleover' bus

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service, which runs along Ladybank Road. It should be noted that only a small number of the new dwellings will lie within 400m of the 'Mickleover' bus stops, however a sizable portion of the site will be within 800m of the bus route.

The applicants are in discussions with a bus operator to procure a bus service to serve the residential development under construction in Amber Valley district off Radbourne Lane and this service is to be extended to also serve the above site.

S106 Agreement

It is understood that the cost of both the bridge and the extension of the developer funded bus service are to be discounted against the generic contribution for wider highway improvements as described in the Council's Developer Contributions Supplementary Planning Document (SPD). The Highway Authority questions this approach and suggests both the bridge/link and bus service are required to make the site sustainable. The bridge and bus service will predominantly accommodate the additional trip making by the residents of the proposed site.

Phasing of the development

The development which falls in South Derbyshire has no independent access and consequently cannot be developed until it can be accessed via the proposed accesses described above. Whilst Starflower Way was clearly designed to be extended the number of dwellings to be served from Starflower Way should be restricted until the two proposed points of access have been linked together. This will need to be conditioned and agreed as part of the phasing of the development, as will:

- Delivery of the Radbourne Lane /Station road roundabout;*
- How many dwellings can be served off Radbourne Lane before the internal link is provided;*
- At what stage the developer funded bus service is to be provided;*
- When the footways linking the development to the Radbourne Lane/Station Road roundabout are to be in place;*
- When the school is to be provided and what provisions are to be put in place to accommodate the short term congestion which occurs at schools in the morning and afternoon.*

Highways England:

No objections to the proposal.

Natural Environment:

No further comments to those which were previously given, which are as follows:

Rights of way

If the proposed new pedestrian / cycle links shown on the illustrative layout are implemented then we would recommend a new pedestrian / cycle bridge over the Mickleover to Egginton Greenway. The new bridge would replace the old bridge, which formed part of the existing public footpath Radbourne 1. It may also be preferable to upgrade the footpath Radbourne 1, in-between the greenway and

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Radbourn Lane, to a pedestrian / cycle route. Finally, it may be beneficial to have a second link from the proposed housing site into the existing public open space to the south of the greenway. This link would allow quicker access to Station Road if heading towards the district centre.

Trees

It is noted that this outline proposal will retain virtually all tree cover within the residential development. Therefore, following on from all the recommendations made in the Arboricultural Assessment, as part of any reserved matters a scaled Tree Protection Plan showing retained trees and their respective Root Protection Areas in relation to the detailed residential layout is required for approval to ensure all the recommendations made in the Arboricultural Assessment are carried forward. Standard conditions are also needed to ensure tree protection measures outlined in the Arboricultural Assessment, such as protective fencing is in place before and during construction works and, where necessary, an Arboricultural Method Statement detailing the nature of no-dig surfacing solutions is submitted for approval for any works affecting the root protection area of trees to be retained.

Environmental Services (Health – Pollution):

All comments previously submitted still stand in respect of the current applications, in particular the stance on noise amenity concerns and our belief that the development is contradictory to national and local planning policies regarding noise.

Previous comments are as follows:

Noise

In order to address the concerns raised about noise impact, an additional noise assessment was carried out in December 2013. Based on the results of the noise addendum there remains an objection to the development on noise amenity grounds with respect to the likely significant adverse impact upon residential dwellings along Starflower Way and to a lesser extent Spinneybrook Way.

I can comment on the addendum as follows:

- 1. The addendum provides additional noise assessment with respect to properties located at the end of Starflower Way, specifically addressing a concern raised in regard to lack of detailed information contained within the previously submitted ES.*
- 2. The results of the assessment serve to reinforce the concerns relating to noise impacts for current dwellings along Starflower Way, predicting an increase of 9.9dBL(A)10,18hr representing a 'substantial' noise impact and only 0.1dB from being classed as 'severe' according to URS's significance criteria in Table 3 i.e. $\geq 10\text{dB}$.*
- 3. The substantial/severe impact noted above is based upon vehicles travelling along Starflower Way in compliance with a proposed speed limit of 20mph. In practical terms therefore, it is likely that the impact will be even greater than this.*

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4. *The report also considers the predicted noise levels from traffic against recognised criteria, namely the World Health Organisation (WHO) and other standards derived from the WHO criteria. Conclusions are accepted, although the guidelines only relate to impacts on new housing proposals, rather than on existing housing.*

The concerns raised are related to the impact of an increase in traffic noise, from a very low ambient noise level, currently experienced by residents on Starflower Way, rather than the resulting noise levels, which are still relatively low. Whilst the increase in noise would be substantial, the actual noise levels as a result of the development would be likely to cause limited adverse effect on resident's amenity.

Land contamination:

A Phase I desktop study has been submitted with the application and it is agreed that a Phase II report is required. Conditions should be attached to any permission to secure a Phase II site investigation.

Air Quality

I can comment on the Air Quality assessment report as follows:

1. *The assessment appears to apply appropriate methodology and uses relevant data.*
2. *No assessment of construction related air emissions is included in the report. This is due to the proposed scale of the project, which is deemed insignificant in air quality terms.*
3. *The modelling suggests that air pollutant increases due to the development, including cumulative impacts in conjunction with other committed developments, are 'small' at worst and 'imperceptible' in most cases. In all cases, air pollutant levels remain below national objectives at all modelled receptor locations.*
4. *No long term air quality mitigation measures are considered necessary. I would accept this conclusion based on the information provided within the report.*
5. *I would recommend the submission of a construction dust management plan to be secured by condition, should permission be granted.*

Resources & Housing (Strategy):

Welcome discussions on the provision of affordable housing to meet city's needs.

Highways (Land Drainage):

I have reviewed the application and can confirm that generally the drainage proposals are acceptable and the site can be developed.

Referring to my previous comments:

1. *The proposals include a Flood Risk Assessment (FRA) by JBA dated May 2015 that was submitted by Pegasus Group in a letter dated 17th July 2015. The assessment concludes that the development at Starflower Way is at high risk of flooding from the watercourse that flows to the north of the development. The assessment also includes proposal to introduce a balancing facility on this*

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watercourse to reduce the level of flood risk from the area. This balancing facility was proposed to help the development comply with clause 100 of the NPPF to use “opportunities offered by development to reduce overall flood risk”.

2. The discharge rate analysis in the FRA limiting the discharge from the development to Q_{bar} is acceptable.
3. There appears to be two conflicting proposed drainage layouts; in the FRA and the Master Plan Concept layout. In the concept layout there is a proposal to divert the ditch 5 or a swale from the South Derbyshire development site into the attenuation pond in Derby City. Although this is technically acceptable the FRA has not taken the areas drained by this watercourse/swale into account and therefore the pond may not be large enough.
4. A clear drainage strategy needs to be presented at the detailed design stage which is consistent for all development areas associated with the application, including the adjacent development in South Derbyshire (9/2014/0562).
5. There has been no assessment of flood risk undertaken for ditch 5. However as the ditch appears to be relatively minor and the land appears to slope away from the development towards the east, the risk is therefore assumed to be low. I would therefore recommend a condition to cover the assessment.
6. A 5m easement has been proposed for ditch courses to allow for maintenance access and maintain a wildlife corridor. This is acceptable and should be covered by a condition to ensure it is delivered in final layout.
7. Maintenance of the surface water drainage systems within the development will be essential to managing flood risk. It is therefore important that all surface water drainage systems within the development have a clearly defined maintenance plan; it must be clear who is responsible for maintenance and how the maintenance of these systems will be funded. All drainage serving more than one property must be covered by a maintenance agreement.
8. There has been no assessment of exceedance flood flows through the development. This should be considered during the detailed design stage. In particular it is noted that there is a shallow valley in the south west of the development without a watercourse evident in the bottom of the valley. The base of this valley will form an exceedance flow path and this must be accounted for in the detailed layout of the development.
9. Previous comments that have been submitted have asked for measures to control any runoff from the greenfield areas and public open space to the north of the development. This will need to be addressed.
10. As detailed in Chapter 10 of the Environmental Statement, construction activities may give rise to a temporary increase in surface water runoff and mobilisation of contaminants off the site into local watercourses. This has the potential to increase flood risk and decrease water quality during the construction phase. Section 10.6 of the Environmental Statement proposes mitigation measures for this to include temporary attenuation, phased

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development and prompt construction of permanent drainage systems. This should be realised in the detailed layout and construction methods for the development.

The application can therefore only be supported subject to the imposition of conditions to secure implementation of a flood attenuation area within an agreed time frame, details of a surface water drainage scheme with a SuDs drainage solution, introduction of a management and maintenance plan for the surface water drainage features, submission of an assessment of surface run off and measures to control run off.

DCC Archaeologist:

The proposal relates to a greenfield site of 21.1ha to the south of Radbourne Lane. The applicant has submitted an archaeological desk-based assessment prepared by CGMS Ltd and the results of geophysical survey undertaken by Archaeophysica Ltd.

The Mercia mudstone slopes north of the Trent Valley have been rather neglected in terms of archaeological work, but have thrown up a number of previously unknown sites more recently of particular relevance are the Romano-British and Iron Age sites at Chellaston Fields, Highfields Farm, Findern and Boulton Moor. These sites seem to favour topographically prominent locations raised above the surrounding terrain, and often with long views. Although the geophysical survey of the site has thrown up few targets, this technique can be unreliable on mudstone geology.

On balance, and bearing in mind the largely negative geophysical results, I feel that the site has low-medium potential for previously undiscovered remains, and that this is focused on the topographically higher areas. Pre-application consultation with the applicants archaeological consultant has led to the formulation of an agreed scope of work for all phases of the site, comprising low-sample trial trenching of the higher areas and the (few) geophysics targets, with further mitigatory work contingent upon significant findings at the trial trenching stage.

This work is best secured by planning conditions in line with NPPF para 141. Conditions should therefore be placed upon any planning permission to secure details of a Written Scheme of Investigation for archaeological work before development commences.

Environment Agency:

The Lead Local Flood Authority (which is the Council's Land Drainage team) should be consulted on applications for major development. This proposal (since 15 April 2015) falls outside the scope of matters on which the Agency would make comments and therefore we have no comment to make.

Derbyshire Wildlife Trust:

Comments on current applications to be reported.

Previous comments are as follows:

We welcome the new 15 metre wide landscape planting buffer along the western boundary of the site.

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With regard to the proposed Local Centre it was previously understood that none of the Hackwood Farm buildings would be subject to any works as part of this development. A number of the farm buildings were identified as having moderate bat roosting potential.

If any of the farm buildings are proposed to form part of the Local Centre, then further bat survey information should be provided.

Phase 2a lies within a particularly sensitive part of the Mickleover/Mackworth Green Wedge and would result in a significant narrowing of the mouth of the Wedge. The development would restrict the feeling of openness and reduce the amount to which open countryside penetrates the urban area. The application needs to be considered in line with the 2012 Green Wedge Review that principle of the Wedge should be maintained and opportunities for enhancement should be provided.

The phase 2a application as submitted requires the removal of the Radbourne Lane Hedgerow local wildlife site to widen the road and, as such, introduces a far greater level of adverse ecological impact. Whilst the proposal offers a range of mitigation measures including the translocation of the hedgerow and new hedgerow planting we would advise that there is an element of risk to such an approach and its success cannot be guaranteed. We would therefore prefer an alternative solution which does not impact upon the local wildlife site. Consideration should be given to providing an alternative access further to the east through the formation of a new roundabout at the junction of Radbourne Lane and the B5020 thus removing the need for the widening of Radbourne Lane and the removal of the hedgerow. If this is not possible, consideration should be given to achieving the widening of the lane by removal and translocation of the hedgerow on the north side of Radbourne Lane which is slightly less diverse. If it is deemed that the benefits of the scheme clearly outweigh the impacts upon the local wildlife site we would advise that a condition to secure the following should be attached to any consent, to secure details of a method statement for translocation of the local wildlife site.

The associated roadside verge is an important component of the hedgerow and as such, an equivalent width of roadside verge should be created alongside the translocated hedgerow which should be seeded with an appropriate wildflower seed mix.

The Mitigation and Enhancement Measures as set out in section 9.5 of Chapter 9 Ecology of the Hackwood Farm Environmental Statement should be implemented in full as a condition of any approval.

The development should be carried out in strict accordance with the Protection Measures set out in paragraphs 4.27 to 4.29 and the Biodiversity Enhancement measures set out in paragraphs 4.30 to 4.35 of the Hackwood Farm, Mickleover, Phase 2a Ecological Appraisal Report prepared by FPCR dated June 2014 as a condition of any approval.

Great Crested Newts

Further correspondence dated 23rd April 2014 in relation to the Phase 1 development provided confirmation that great crested newt had been recorded in

pond 1 which lies immediately adjacent to the southern boundary. This advised that further information and mitigation would be required prior to the determination of the application. The letter dated 1 September 2014 from the ecological consultant confirms that a single additional survey of pond 1 was carried out on 15th May 2014 together with analysis of an environmental DNA sample. The results of this additional survey work are inconclusive and, as such, the letter recommends that the application proceeds on the basis that a small population of great crested newts is present within pond 1. We would advise the Council that this is considered to be a reasonable approach and we are satisfied that the implementation of the broad measures outlined in the letter, including the retention of ponds, maintenance of connectivity, provision of areas of suitable terrestrial habitat and the exclusion and translocation of great crested newts from the working area under a licence from Natural England prior to works commencing on site are appropriate to maintain the favourable conservation status of the local great crested newt population. We recommend that a condition to secure a mitigation and monitoring strategy for great crested newts and their habitat.

Bats

The letter of 1 September 2014 confirms the retention of tree T87 which has been identified as having potential to support roosting bats. This is welcomed and the letter advises that the retention of the tree within a suitable buffer to allay any health and safety concerns should be confirmed in a subsequent detailed Landscape Masterplan. It is also confirmed that none of the buildings with potential to support roosting bats will be subject to any works associated with the proposed development and that tree T113 does not contain any features suitable for roosting bats. We are therefore satisfied that no further survey work for bats is required.

Traditional Orchard – UK BAP priority habitat

The letter of 1 September 2014 acknowledges the presence of an area to the west of the Hackwood Farmhouse that may qualify as “Traditional Orchard” habitat of principal importance and confirms its retention. The retention of the traditional orchard and its long term appropriate management as a community feature and to enhance its biodiversity value is fully supported. The retention of the orchard should be included in the detailed landscaping plans required as a planning condition.

Birds

Suitable nesting opportunities for swallows will be incorporated into the proposed buildings which is welcomed. We would advise that details of provision of compensatory nesting for swallows should be included as part of an Ecological Mitigation and Enhancement Strategy to be submitted as part of the detailed design process. We note and welcome the proposed off-site land management of 3ha and 300 metres of hedgerow specifically for farmland birds as shown in figure 5.2. We would advise that such measures should be secured by way of an agreement required as a condition of any permission in order to provide an appropriate level of compensation for impacts upon farmland birds. The off-site compensation plots were proposed to provide compensatory nesting opportunities for farmland bird species displaced from the area affected by Phase 1 of the proposed development, including the ground-nesting priority species grey partridge. Following discussion with the

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ecological consultant, we advise that earlier concerns would be addressed, provided that increased opportunities for grey partridge are to be provided in the most south western of the two farmland bird mitigation plots to be detailed in a Habitat Creation and Management Plan, to be secured by condition.

Any planning permission should be subject to conditions to secure a construction environmental management plan, no works to take place in bird breeding season, protective fencing during construction period and a landscape and ecological management plan.

Police Liaison Officer:

No further comments to those made previously. Previous comments as follows:

I am pleased to see that on the indicative layout that defensible space and natural surveillance has been built in to the cycle link where it passes this proposed development, which will increase the safety of this section. The existing rights of way are also well overlooked with dwellings well placed to facing onto the links.

Whilst access to these cycle and public footpaths is an understandable ethos I consider that there are too many and too much overall permeability in this scheme layout.

Accessibility should not be provided at the expense of safety especially when it has no defined purpose. Links to the Retail units and open space can be conveniently provided concentrating activity via a few routes, which also help way finding and legibility, but increasing safety and security by removing crime opportunity.

Parking is always an issue and in a location such as this I am pleased to see at least two spaces per dwelling to avoid the dangerous obstruction of highways, foot paths and access.

Defensible space to all frontages with adequate setbacks should be provided to comply with privacy and security as local policies H13, H23 and E24 which also support the design of safe and secure environments. Building for Life 2012 also supports this measure recommending use of vertical treatments for demarcation and definition of the active street edge.

The only way to ensure that developments take full account for the need for community safety and the prevention of crime at later planning submission stage is via the adoption of the "Secure by Design Scheme".

Local area retail areas can be a constant source of nuisance and anti-social behaviour through unwanted congregation, if not well designed. The frontages must be exposed to open natural surveillance, building lines should be strong without recesses and canopies should not offer shelter.

Historic England:

Your authority should consider the impact of the proposed development upon the significance which the various listed buildings in the vicinity draw from their setting. - These buildings are identified in the submitted Environmental statement within the Archaeology and Heritage chapter. As the proposals may affect listed buildings the

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statutory duty to have special regard to the desirability of preserving listed buildings, their setting and any features of special interest applies (s.66, 1990 Act). The NPPF is clear the significance of listed buildings can be harmed through development in their setting (para 132). An impact on Grade II listed Potlocks Farm is identified with the Environmental Statement, although this is considered 'minor' (para 8.4.12). Your authority should seek your own specialist conservation advice on the impact on all the listed buildings potentially affected and Potlocks Farm in particular – if the significance of the building will be harmed by development there is clearly a need to consider what mitigation measures are possible with public benefits ultimately being weighed against any harm, taking into account the statutory duty to give special regard.

Natural England:

The advice provided in our previous response applies equally to this application although we made no objection to the original proposal. Previous comments are as follows:

No objections and no conditions requested. The site is in proximity to Kedleston Park SSSI. The proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

Soils and Land Quality

The development would not appear to lead to the loss of over 20 ha "best and most versatile" agricultural land (para 112 of NPPF).

Biodiversity Enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF.

Green Infrastructure

The development is in an area which could benefit from enhanced green infrastructure provision. This can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement.

Local sites

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

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Education:

The proposal for residential development covers a cross-boundary site, with up to 410 dwellings proposed in the City and up to 290 dwellings proposed in South Derbyshire. Based on the proposal for 700 houses, and Derby City Council's pupil yield formula, the development, as a whole, is likely to generate the following pupil numbers:

Primary: 196 pupils

Secondary: 140 pupils

The development falls within the City catchment areas of Silverhill Primary School and Murray Park School. Pupil numbers on roll at the schools are as follows:

School	Capacity	Number on Roll (January 2015 School Census)	Number of Surplus Places
Silverhill Primary	420	411	9
Murray Park School	1100	841	259

Primary Provision

There is very limited capacity in existing primary schools in this area to meet the needs arising from the development and a new one form entry primary school is proposed on the site to serve both the City and County elements of the new housing.

The proposed new primary school will be required as early as possible as schools in the area are virtually full.

Secondary Provision

At present there is sufficient capacity at Murray Park School to accommodate the anticipated pupil numbers from the development. However, secondary school pupil numbers are projected to increase which will result in a reduction in capacity over time.

Derby City Council, Derbyshire County Council and South Derbyshire District Council are working together closely on a strategic secondary school solution to meet the cumulative school place needs arising through housing growth in and on the edge of the City.

Amber Valley BC:

No objections raised to the application, but makes following comments:

It is acknowledged that the site forms part of proposed allocation AC21: Hackwood Farm in the Emerging Derby City Local Plan but that this site has not to date been the subject of independent examination and therefore only limited weight can be afforded to it.

However it is also noted that Derby City currently cannot demonstrate a 5 year housing land supply and therefore in accordance with the NPPF the critical

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consideration is whether the application proposals, as a whole, constitute sustainable development. If this is considered to be the case, the presumption in favour of sustainable development will therefore carry significant weight in favour of approving the proposals; conversely if the application proposals are not considered to represent sustainable development the presumption will not apply.

The development proposals are not considered to adversely affect any national or local designation within Amber Valley.

The Borough Council would however wish to ensure that the cumulative highways impact of the two related Hackwood Farm applications and that associated with the approved 530 dwellings within Amber Valley in close proximity on Radbourne Lane are fully considered by the relevant highway authorities.

The Borough Council would also wish to ensure that the impact on local schools and healthcare services in the locality is fully considered including the impact within Amber Valley.

South Derbyshire District Council:

To be reported.

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
GD7	Comprehensive Development
GD8	Infrastructure
H11	Affordable Housing
H12	Lifetime Homes
H13	Residential Development – general criteria
E2	Green Wedge
E4	Nature Conservation
E5	Biodiversity
E7	Protection of habitats
E9	Trees
E10	Renewable Energy
E12	Pollution
E16	Development Close to Important Open Land
E17	Landscaping Schemes
E21	Archaeology
E23	Design
E24	Community Safety
S2	Retail location criteria
L2	Public Open Space Standards
L3	Public Open Space requirements in new developments

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L4	New or Extended Public Open Space
LE1	Education Uses
T1	Transport Implications of new development
T4	Access, servicing and parking
T6	Provision for pedestrians
T7	Provision for cyclists
T8	Provision for public transport
T10	Access for disabled people
T15	Protection of footpath, cycleways and routes for horse riders

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

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

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

7. Officer Opinion:

Key Issues:

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

- Residential development – Policy context
- Highways and transport implications
- Archaeology and heritage assets
- Flood Risk and Drainage
- Noise impacts
- Ecology and trees
- Landscape and Visual impact
- Residential amenity and urban design
- Section 106

Residential development - Policy context

The starting point for determining each of the proposals is the City of Derby Local Plan Review (CDLPR) Saved Policies. The National Planning Policy Framework (NPPF) is also a material consideration. Further important considerations are that land at Hackwood Farm has been identified as a new housing allocation in the Pre-Submission Core Strategy which has been approved by Full Council. The Strategy is currently out for public consultation on the soundness of the Plan. It is also a material consideration that the Council cannot demonstrate a five year supply of deliverable housing sites. These and other relevant factors are discussed further below.

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In the wider area around Mickleover, outline permission on land at Newhouse Farm in South Derbyshire district has been granted on appeal for up to 300 dwellings. This site would form a western extension to the Mickleover area. There is a single approved vehicular access onto the A516 and no direct vehicular access into the city. There is also an undetermined outline application for up to 252 dwellings on land to the west of Ladybank Road, with access onto it.

On 24 September 2015, South Derbyshire District Council resolved, subject to further consultation and assessment through an updated Sustainability Appraisal (SA), to agree in principle the addition of a strategic site to the Local Plan Part 1 for a site to the West of Mickleover that includes Newhouse Farm and the site west of Ladybank Road for around 1,650 dwellings as a main modification. They also agreed the principle of a draft policy for this allocation, subject to any modifications following the updating of the SA and/or further consultation. At the time of drafting this report, it was anticipated that consultation on the updated 'SA' would begin on 12 October 2015 and run for a period of 6 weeks.

The only part of this potential strategic allocation which is actually committed is therefore the 300 dwellings approved on appeal at Newhouse Farm and the rest of the land currently has no certainty or principle set for housing development.

These sites are in proximity to the application sites, although for the purposes of considering the current outline applications, they are distinctly separate and do not provide a replacement housing allocation for the land at Hackwood Farm. However, these sites would **not** meet any more of the city's housing need and therefore the potential South Derbyshire housing allocation does not have an influence on the city's housing allocation or housing target, which still includes Hackwood Farm. The decision by South Derbyshire DC does not therefore affect the number of homes which need to be provided in the city over the Local Plan period and as such the overall target for the city remains at 11,000. The proposed changes to South Derbyshire's housing allocation do not therefore constitute a material consideration in decision making on the current proposals.

City of Derby Local Plan Review

All of the policies of the CDLPR listed above are relevant and should be given due weight. Neither of the two application sites is allocated for any specific development in the CDLPR. As such, Policy H13 (Residential Development – General Criteria) is one of the main policy considerations.

Part of Phase 2a site (DER/06/15/00847) is within the Green Wedge between Mickleover and Mackworth and policy E4(36) relates to the Radbourne Lane Hedge which is a wildlife site running along the northern edge of both application sites. These are the only Local Plan policy designations which lie within the site boundary.

Residential Development – General Criteria

Policy H13 sets the criteria which must be met for residential development to be considered acceptable. Given the outline nature of the proposals, regard has to be had to the indicative masterplan in order to consider these matters.

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The criteria relate to matters including the relationship of the proposals to other nearby properties, densities, form, design, layout and standards of privacy and security.

There is no reason in principle why the form of development indicated in the masterplan cannot meet these requirements. Some of the more detailed elements will require consideration at Reserved Matters stage.

The need to improve pedestrian/ cycle linkages from the development to the existing local facilities in Mickleover to the south of the former Mickleover/Egginton railway cutting have been addressed by the applicants as part of the agreed Section 106 package, by provision of a bridge over the cutting. This would improve connectivity and provide link between the new and existing communities and provide better integration.

National Planning Policy Framework

The NPPF was published in March 2012. A golden thread which runs through the Framework (paragraph 14) is a “presumption in favour of sustainable development”. Paragraph 47 also sets out the Government’s objective to “boost significantly the supply of housing”. Both of these objectives are clearly relevant in determining the application.

In terms of decision taking the “presumption” is defined as:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - b) specific policies in this Framework indicate development should be restricted.

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

The NPPF also sets out a requirement for Local Authorities to maintain a supply of deliverable housing sites to meet needs for at least 5 years. It states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. It is important to note that in such cases, only policies relevant to the supply of housing are considered out of date. Policies other than those related to housing supply, such as Green Wedge, are still relevant and can be given “due weight”.

The City Council cannot currently demonstrate a 5 year supply of deliverable housing sites and, as discussed above, the NPPF therefore requires that **planning**

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permission should be granted for the proposals unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted. This issue is addressed in more detail below.

Derby City Local Plan part 1: Pre-Submission Core Strategy

Part 1 of the Derby City Local Plan, the Pre-Submission Core Strategy, was approved by Full Council on 26 November 2014. The Strategy is currently undergoing its final public consultation prior to being considered by an independent Inspector at an Examination in Public. The current consultation is being carried out specifically to test the legal compliance and soundness of the Strategy and runs until the 23 October. Land at Hackwood Farm is included in the Plan as a strategic housing allocation to deliver a minimum of 400 new dwellings in the city. It also makes reference to a further 290 dwellings as an urban extension in South Derbyshire district. The site was also included in the Draft Core Strategy, which was published for public consultation in October 2013. The site forms an important part of the overall strategy to help meet Derby's housing needs and identify "deliverable" sites that can establish a 5 year housing land supply for the city.

The new policy for the site requires that a new primary school and local facilities are provided as well as requiring new public open space and improved connectivity with the rest of Mickleover. These measures were required to mitigate concerns over the overall sustainability of the site. The two outline applications are consistent with the requirements of the new policy in principle, which is welcomed.

Until the Plan has been adopted it carries limited weight. However, it is based on a significant amount of up-to-date evidence, including the Green Wedge Review. Parts of the evidence base are in themselves material considerations in determining the applications. In this case there are various evidence documents relating to housing need and supply which are particularly relevant to the applications.

Shopping Hierarchy and Retail Location Criteria

The proposals for application site DER/06/15/00846 include a new local retail centre. Policy S1 (Shopping Hierarchy) sets a hierarchy of centres in order to maintain sustainable shopping patterns. Policy S2 (Retail Location Criteria) sets out criteria for guiding the location of retail uses. A new local centre will provide opportunities for residents to access local shops for everyday needs with a reduced need to travel by private car. This assists with the sustainability credentials of the proposal. With appropriate conditions restricting the scale and the nature of a new local centre in this location, the centre will not conflict with or adversely affect any of the other local centres in the city.

Education Uses

It is recognised that there is no capacity within existing primary schools in the local area to accommodate the proposed 700 dwellings on this site. There is therefore a need for a new primary school to be provided to serve the development. Application DER/06/15/00847 includes a proposal for a one form entry Primary School in the Phase 2a site, in the north east corner of the site. Policy LE1 (Education Uses) sets out criteria which should be met where new education uses are proposed. The policy

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requires that new educational uses are well related to the public transport network and that traffic generated would not lead to major traffic management implications, a reduction in road safety or adversely affect the environment in the area. In principle, a school in this location should be able to meet the requirements of this policy and would be welcomed in terms of providing local facilities and sustainability.

Public Open Space

If approved the proposed residential scheme would lead to a need for the provision of additional public open space. Local Plan Policy L3 sets out the requirements for additional public open space in new developments and sets out a requirement for incidental open space to be provided on sites of 10 or more dwellings and major open space on sites of 25 or more dwellings. Both proposals will meet these policy triggers.

Both applications include provision of new public open space on site and an Open Space Typologies Plan has been submitted which indicates the amount and the various types of open space proposed within the overall development. Within the City, approximately 5.9 hectares of public open space is to be included on site, which does not include the water attenuation ponds. This comprises major open space, which takes the form of a linear park running along the northern boundary of the site, adjoining the Radbourne Lane Hedge Local Wildlife Site. The provision of incidental open space would include areas of formal open space, incorporating childrens play areas and linear routes alongside retained hedges and trees. The total amount of public open space to be provided within the City is in excess of the Local Plan policy requirement for the number of dwellings on the site. The amount of open space proposed would be secured by means of the Section 106 Agreement and a maintenance contribution for the proposed areas has been agreed in principle with the applicant.

The proposed mix of formal and informal public open space on site is broadly welcomed. This seeks to incorporate and safeguard the natural features on the site, including the hedgerows, existing orchard and the individual trees, which have considerable ecological interest to the site. The formation of linear buffer zones along the north and west boundaries of the site, to form part of the open space provision would also help to soften the impact of the development on the landscape.

Green Wedge

Policy E2 (Green Wedges) lists the uses which are acceptable within Green Wedges. The masterplan indicates that some built development, including the school and some dwellings, are proposed within the wedge. These uses would be contrary to Policy E2.

The amount of Green Wedge lost would be small and in a peripheral part of the wedge which provided a limited contribution to the primary function of the wedge in separating and defining the suburbs of Mickleover and Mackworth.

More recently to Policy E2, the City Council produced a Green Wedge Review (GWR) in 2012 as part of the evidence to support its emerging new Core Strategy. The purpose of the GWR was to determine the role and function of all of the green

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wedges in the City and to assess whether there was any opportunity to change their boundaries to accommodate new housing development. It forms an important piece of evidence which supports the emerging Core Strategy and has been key in determining where parts of the Green Wedge could be removed to help meet the city's housing needs without undermining their overall role and function.

The GWR identified the main functions of the wedge between Mickleover and Mackworth. These included the wedge helping to define the edges of Mackworth and Mickleover, contributing to their separation, character and identity and enhancing the urban structure of the city. It also identified that the wedge allows the open countryside to penetrate into the urban area of the City.

The GWR concluded that there may be an argument to redefine the Green Wedge to the west of the housing at the northern end of Station Road because some of the land is now inset and makes limited contribution towards Green Wedge function. This evidence has been influential in setting the site boundary for a housing allocation on the Hackwood Farm site in the Core Strategy. The boundary of the application site is consistent with the boundary identified in the Core Strategy.

The GWR has been used in the process of determining several planning applications involving residential development within Green Wedges. In recent appeals in Derby at Brook Farm, The Hollow and Humbleton Barn, Planning Inspectors have acknowledged and given weight to the Green Wedge Review as a relevant consideration in determining the applications.

Summary of Policy Considerations

The principles of the proposed developments are generally consistent with the requirements of the CDLPR. The main area of inconsistency is where built development would take place in the area of Green Wedge on the eastern part of the Phase 2a site (DER/06/15/00847). However the GWR has identified this piece of land as serving limited function in terms of meeting the objectives of Green Wedge policy. The Pre-Submission Core Strategy rolls the Green Wedge back in this location and allocates the land for housing.

Given that the site has been approved as a future housing allocation by Full Council, the principle of residential development is considered to be acceptable. The proposals included in the two applications are highly consistent with those of the policy set out in the Pre-Submission Core Strategy. On-site local facilities, a new primary school, open spaces and improved connectivity will contribute to establishing a sustainable location for a strategic housing extension to the city.

In the absence of a five year housing land supply the NPPF requires that planning permission is granted for residential development unless any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal.

In terms of the Green Wedge element of the proposal, it is not considered that the adverse impacts would significantly and demonstrably outweigh the benefits in this particular case. The impact on Green Wedge in this location is relatively limited and should be considered in the context of the NPPF, the absence of a five year supply and the emerging Core Strategy. The proposal as a whole will deliver a considerable

level of housing and new local facilities which are required to meet the city's housing need.

Highways and Transport impacts

Hackwood Farm is located on the north western edge of the city and is close to the junction of Radbourne Lane and Station Road, which is a main route into Mickleover. The masterplan proposal shows two proposed points of vehicular access to the site. Phase 1 of the development indicates a vehicular access from Station Road, via Spineybrook Way with a new junction on the end of Starflower Way, which is an indicative access at this stage, since means of access is a reserved matter, under DER/06/15/00846. The Phase 2a site includes a further means of access which serves directly onto Radbourne Lane, which is being determined under this application (DER/06/15/00847).

Both applications are accompanied by a full Transport Assessment, which is based on traffic modelling and assessment work by the applicant's highways consultant to determine the traffic impacts of the whole development of 700 dwellings, including the South Derbyshire district part of the scheme. A Planning and Transportation Addendum has been prepared to provide additional information to support the current applications and to address the two reasons for refusal on the previous applications.

The cumulative impact of traffic generation from the development with the committed Radbourne Lane housing scheme which is for 600 dwellings, was assessed as part of the traffic modelling work undertaken in support of the original applications. The submitted Addendum confirms that the cumulative traffic impact of other planned developments in the local area have been considered in the traffic assessment work on the local highway network and found not to be significantly harmful to highway safety.

It is recognised that the existing Station Road/ Radbourne Lane junction is currently congested and that the proposed development would have a significant impact on traffic using that junction. As a result, improvements to the junction are proposed as part of the development to form a new roundabout junction and improve visibility splays, from Station Road, particularly in the westerly direction. A junction capacity assessment undertaken in support of the proposal identified that the existing junction does not have capacity for existing traffic volumes, without the development being implemented. An assessment of predicted queue lengths on Station Road, both without the development and with the proposal has been undertaken and the figures are illustrated in the Highways Officer comments in Section 5. This demonstrates that without the development the traffic queues at peak times will be significant by 2026; but with the introduction of a roundabout junction, queue lengths would reduce significantly. Even with the development in place, the queues on Station Road are predicted to reduce to about 2 vehicles. The proposed roundabout would also address poor visibility onto Radbourne Lane from Station Road, by reconfiguring the junction and removing part of the hedgerow. The Highways Officer is in agreement with the findings of the junction assessment and the beneficial impacts of the proposed junction works and I am therefore satisfied that the proposed highways improvements to be provided at the Station Road/ Radbourne Lane junction would

substantially reduce queue lengths and enhance visibility at this junction, thereby improving highway safety for road users. The timing of the delivery of this junction improvement, will be subject to agreement by the Highways Officer, to ensure that traffic impacts of the development are minimised on the local road network and this would be subject to a separate planning condition.

The Highways Agency have previously considered the traffic impacts of the development in relation to the effect on the A52/ A38 junction at Markeaton Island and on the basis of the programmed improvements to that junction, they raise no objections to the proposal.

The traffic modelling carried out for the original applications indicated that there is a potential for some “rat running “ using Onslow Road as a result of the development and the Highways Officer has recommended that monitoring of this issuing is secured via a planning condition. A condition would require a survey of traffic movements on the occupation of the 200th dwelling on the site to assess whether there is such an issue on Onslow Road. If there is evidence of “rat running” then traffic calming measures would be provided by the applicant, to minimise the traffic impact. It is reasonable and enforceable, that this possible highways issue is dealt with by a condition of any permission.

The applicant is proposing to enhance the transport connections between the development site and Mickleover District Centre, as part of the current proposal, in order to resolve one of the refusal reasons given on the previous applications. Concerns were raised by Members that the development would not have been sufficiently accessible to local facilities in the District Centre. A bus service is now proposed to be provided for the development to link with the city centre and the Radbourne Lane housing site (currently under construction) to be secured as part of the agreed package of contributions via a Section 106 Agreement. This bus route is now proposed to be extended, with an agreed bus operator, to serve the Mickleover District Centre. The bus service is anticipated to be at a 30 minute frequency and it is hoped that it would be commercially viable within three years of commencing. The service would also be delivered through the Section 106 package, for a minimum of three years. The extension of the bus provision to include the District Centre is a welcome addition to the transport proposals for the development, which seek to improve connectivity of the site with Mickleover and the wider city. This is recognised as important due to the site’s location on edge of the city boundary. The other agreed transport contributions also include erection of a pedestrian/cycle bridge over and ramp to the existing Greenway footpath and cycle route and footway improvements to Station Road. The proposed improvements to transport linkages to Mickleover would enhance the sustainability of the proposed development and its connections with the rest of the city. The details of the full agreed Section 106 contributions are addressed later in this report.

The submitted masterplan shows various proposed and existing footpaths and cycle routes through the site with linkages to the footpath/ cycleway and existing housing estate to the south and Radbourne Lane. The walking and cycling routes through the development would provide enhanced routes to existing facilities within Mickleover

and with the proposed local centre within the site. Links to the existing rights of way and national cycle route are also indicated on the masterplan.

A pedestrian and cycle bridge over the railway cutting footpath and cycle route is part of the proposal to provide a better linkage to the existing facilities to the south. The current right of way goes into the cutting and into the housing estate through a narrow route between houses. A suitable location for the bridge has been identified, which is considered to be deliverable and provide an attractive access route to Ladybank Road, via an area of existing open space. A cost proposal for the bridge has been put forward by the applicant, which has been assessed by the Council's Structures team and accepted in principle. It is considered that the bridge would most appropriately be delivered by the Council rather than the applicant, due to logistical and land ownership issues with the site where the bridge is to be located. The route of the railway cutting path is owned and maintained by Derbyshire County Council.

Overall, the proposal does satisfactorily indicate improved accessibility and opportunities for use of alternative modes of transport to and from the Mickleover area and the wider city, which demonstrate that the development will be sustainable in terms of its connections with the rest of the city. The applications are therefore considered to satisfy the requirements of all the relevant Local Plan Transport policies.

Archaeology and Heritage Assets

In terms of heritage assets as defined by the NPPF, the overall development site, including the South Derbyshire element, does not contain any designated heritage assets, ie. Listed buildings, Scheduled Monuments, Conservation Areas, etc. However, there is a recognised archaeological interest on and around the site, in term of evidence of medieval agriculture (ridge and furrow field patterns) and previous isolated archaeological finds on the site.

The development would potentially impact on the setting of three nearby listed buildings to the west of the site, including Potlock Farm and Silverhill Farm, both Grade II and Radbourne Hall, a Grade I listed country house with parkland estate. The submitted heritage impact assessment identifies that the proposed development would have a limited impact on the setting of Radbourne Hall and Silverhill Farm, with a moderate effect on Potlock Farm, which is nearest in distance from the western boundary of the site. The main impact, in terms of harm to the setting of these buildings would be from the South Derbyshire part of the scheme, since the development on this area would be closest in distance to the affected buildings. The impact of the development in the city is likely to be negligible. Whilst Historic England has identified the main impact on setting would be to Potlock Farm, the Council's Conservation Officer has not raised any concerns in this regard and I am satisfied that the proposal would result in limited harm to the setting of this listed building. The overall master plan proposal is not considered to have a significant adverse effect on any of the nearby listed buildings, particularly with the proposed landscaping buffer zone on the western boundary of the site.

The desk based assessment and geophysical survey of the archaeological interest on the site have identified that there is potential archaeology within the site, although

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there are unlikely to be remains of significant historic significance. The County Archaeologist considers that the potential for archaeological interest on the site is currently unknown and has recommended that a site investigation of trial trenching is undertaken, post-decision of on the applications. An archaeological scheme of investigation can therefore be secured by means of a suitable planning condition. This accords with the requirements of Policy E21.

The original farmhouse and stable buildings on Hackwood Farm are not statutorily listed or on the Council's Local List although the Conservation Officer agrees that they are of some historic merit and considers them to be non-designated heritage assets. They have not been subject to an appraisal in the Environmental Statement, although, it was requested that an appraisal undertaken, in line with para. 135 of the NPPF. The applicant has responded that consideration of the non-designated farm buildings is not required under the EIA Regulations, since there would be no significant impact on the buildings or their setting. The applicant has confirmed that all of the farm buildings of historic merit are to be retained and reused as part of the proposed local centre within the development. I must concur with the applicants view and agree that assessment of the Hackwood Farm buildings is not needed in the Environmental Statement, since they are not identified as having even local historic importance, via the Local List and the impact of the development on them is not considered to be significant.

Overall, I am satisfied that the proposed development would respect and safeguard the setting of affected listed buildings in the area, the potential archaeological interest on the site and the historic part of Hackwood Farm buildings, in line with the requirements of Local Plan policies E19, E20 and E21.

Flood Risk and Drainage

The application site and surrounding area are identified as being at low flood risk, identified as Flood Zone 1. However, there are known to be existing flood risk issues relating to the railway cutting to the south of the site, which has had impacts on residential properties to the south and to the north of Starflower Way, which has had effects on properties on Starflower Way. These flooding events are likely to arise from the existing drainage ditches and watercourses, including a culverted watercourse which runs across the site and in the surrounding area.

These water features would be affected by the proposed development. A Flood Risk Assessment, which has been revised and a Drainage Strategy have been provided for the whole development site, to demonstrate that flood risk and surface water run-off from the development is proposed to be managed, to minimise flood risk on the site and for nearby properties, particularly to the south of the site, in a 1 in 100 year event. The use of Surface Drainage (SuDs) systems are being proposed for the development, to attenuate surface water on the site and minimise potential flood flows off site, to safeguard nearby properties from flooding. These are proposed to take the form of four balancing ponds (including one in South Derbyshire part of the site) and new drainage ditches and swales through the development, to control and treat the flow of surface water within the development. The details of the SUDs proposals, including the design and form of the balancing ponds and drainage

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features would be included at the detailed design stage of the development and submitted as part of the reserved matters approval.

Discussions with the Council's Land Drainage team and the Environment Agency took place during the previous applications in regard to the form, scale and layout of the flood mitigation scheme and drainage strategy. Following a change in government regulations, relating the management of surface water, which came into force in April, the Environment Agency is no longer a consultee for this application, since the site is not in designated Flood Zones 2 or 3. The Council's Land Drainage Officer has had further discussions with the applicant about the proposed flood alleviation scheme for the Phase 2a site and the form which this would take. The Land Drainage Officer is now satisfied that the drainage strategy would minimise flood risk to the development and address the current flood risk issues experienced by properties in the vicinity of the site. Details of the agreed design of the flood alleviation scheme would be dealt with as part of any reserved matters submission and be subject to a suitably worded planning condition.

The proposed flood storage area would primarily deal with flood risk management for the development and also includes a safeguard from existing flooding issues which affect existing nearby properties adjacent to the site. The applicant has undertaken in this case to provide such flood management measures within the development proposal to protect nearby properties from surface water run-off from existing watercourses. The maintenance of the proposed ponds and surface water channels which are agreed in principle as part of this proposal, would be via a contribution which is to be secured through the Section 106 Agreement.

Overall, I am satisfied that a reasonable flood risk management and surface water drainage strategy has been submitted in support of the application to ensure that there would not be an increased flood risk to occupants of the development or existing properties in the local area, which is in line with the NPPF and Local Plan policy GD3.

Noise Impacts

A Noise Impact Assessment has been provided in support of the application, which identified the impacts of noise and vibration on nearby sensitive receptors (residential properties) to be primarily arising from increased traffic flows associated with the proposed development. The assessment concluded that the main impact from an increase in traffic would be on properties on Starflower Way, which would be major in the short term and moderate in the long term. However, the resulting noise levels are concluded to meet industry guidelines and are therefore not considered to be significant or excessive.

On the basis of the submitted noise assessment, the Council's Environmental Health Officer has objected to the proposal, due to concerns about the increase in traffic noise for properties on Starflower Way. It is acknowledged by both the noise consultant and the Environmental Health Officer that no specific mitigation measures are available to overcome the increased noise levels at the affected properties. The impact of increased noise for the residential properties on Starflower Way is the result of the road currently being a cul-de-sac at the end of a residential

development, on the edge of the open countryside. The normal traffic levels on Starflower Way at present are therefore likely to be very low, with ambient noise levels also being low. The proposal for up to 700 dwellings with one of two accesses from Starflower Way would inevitably lead to a significant increase in vehicles using this road. The noise associated with the additional traffic is clearly to be substantial, when compared with the current levels on the quiet residential cul-de-sac. It is therefore accepted that there would be a significant impact from traffic noise on Starflower Way, as a result of the development, over and above the current situation. This is balanced against the very low levels of traffic and noise which are currently experienced by the existing properties.

The road at the end of Starflower Way was constructed in such a way to enable it to be extended to form an access into the current application site. It is probable that it was envisaged by the developer that the development would be extended at some point in the future and that Starflower Way would evolve from a cul-de-sac.

The proposed access onto Radbourne Lane is designed to take a substantial proportion of the traffic from the development and traffic flows from the site would be shared with the Starflower Way. I note this factor does not overcome the Environmental Health Officer's objection to the proposal.

The concerns raised by the Environmental Health Officer are material and have been taken into consideration the findings of the noise assessment. Despite this, the noise impacts on a relatively small number of properties on Starflower Way should be weighed against all the other impacts of the proposal and the planning gain which would be achieved by delivery of a significant amount of new housing, primary school and associated infrastructure. The other environmental impacts of the scheme, as measured in the Environmental Statement are not assessed to be significant, subject to mitigation and some, including flood risk and drainage impacts would have beneficial impacts with the provision of flood alleviation measures. Whilst, the increase in traffic noise on Starflower Way would be significant, when measured against the low levels of traffic noise at present, this impact is not in my view an excessive one. When balanced against, the other impacts of the development and the policy context, in terms of addressing a substantial housing need in the city I am of the view that the applications should not be resisted solely on the grounds of noise impact.

Ecology and Trees

The Radbourne Lane hedge is identified as having wildlife habitats which should be protected. Policy E4 (Nature Conservation) requires that proper account is taken of the need to protect wildlife sites from adverse impacts and Policy. Similarly, Policy E5 (Biodiversity) seeks to protect features of nature conservation interest.

Policy E7 (Protection of Habitats) is also relevant and this policy sets out criteria relating to developments which would materially affect sites supporting wildlife species supported by law. The policy seeks to ensure that in such cases disturbance to the species is minimised and their survival facilitated or an offer of the creation of alternative habitat is made, supported by a planning obligation, which would sustain the current levels of species protection.

It is clear that the proposed new access onto Radbourne Lane will affect the hedge and approx. 120 metres is proposed for removal to accommodate the access. A further 10 metres of a hedge of habitat importance would also see part removal to enable the development. Other hedges of limited conservation value are proposed to be lost. However, overall the loss or disturbance to hedgerow habitat is to be kept to a minimum. A landscaped buffer approximately 15 metres in depth is proposed to the north of the site to incorporate the Radbourne Lane Hedge and provide enhanced habitat.

Protected species have been identified on and adjacent to the application site, as indicated by the Ecological Appraisal and subsequent Addenda. These include a small population of Great Crested Newts in one isolated pond adjacent to south east boundary of site, close to properties on Starflower Way. Evidence for bat activity and potential bat roosts have been found in trees and some of the farm buildings within the site. Various species of farmland nesting birds have also been identified on and around the site.

Potential impacts on the identified species are contained within the Ecological Appraisal and mitigation measures to safeguard species and habitat and to create habitat or enhance retained habitat have been recommended to ensure that there is no significant adverse effect on the ecological value of the site. The proposed creation of new water features, hedgerow and planting buffer zones will provide enhanced habitat which would address the loss of existing wildlife features and result in an ecological benefit to the scheme. The loss of nesting habitat for farmland birds from the Phase 1 part of the development site, are to be compensated on off-site plots to the south west of the site in South Derbyshire district. This would be subject to conditions on any permission granted by South Derbyshire District Council.

Derbyshire Wildlife Trust considered the Ecological Appraisal and Addenda in detail, during the previous applications and the content of these assessments has not been altered for the current submissions. DWT is satisfied in principle that the proposed development would not result in significant harm to the Local Wildlife Sites and other features of nature conservation value on and around the site. Any loss of habitat would be appropriately replaced elsewhere on the site and potential disturbance to protected species and habitats would be subject to a suitable scheme of mitigation and enhancement measures.

The site has numerous individual trees, including some veteran trees, which are primarily located along existing field boundaries. Most are native broadleaved trees and many are of significant amenity value, due to their age or landscape value. The masterplan proposals indicate the retention of many of the trees, within areas of public open space, either in hedgerow corridors or the formal open spaces, including the retained orchard. This is broadly welcomed and would contribute to the character of the development as well as retaining wildlife habitat.

Overall, I am satisfied that the ecological interest on and around the site, in terms of important habitats and protected species, has been properly assessed and suitable mitigation measures and new habitat areas are proposed to safeguard the nature conservation value of the site during and following construction of the development.

The requirements of relevant Local Plan policies E4, E5, E9 and E7 would therefore be satisfactorily met.

Landscape and Visual Impact

The whole development site is currently agricultural fields, subdivided by established hedgerows and trees on gently sloping terrain, which sits on the edge of the urban area of Mickleover. The site and the surrounding landscape is generally open and undulating in nature, comprising of agricultural land, similar in character and in landscape features. The railway cutting to the south of the site forms strongly defined boundary with the housing estate on the south side.

The proposed housing scheme would introduce a townscape and urban forms into an existing rural location, although it would link into the existing residential areas to the south and east of the site. The scale of the development would have a significant impact on the landscape and character of the rural area around Radbourne Lane, mainly due to the loss of countryside and openness resulting from the urbanising effect of the new built form. The proposal is likely to be most prominent against the landscape from vantage points to the south and west of the site. From the north and east, the development is likely to be partly obscured by the Radbourne Lane hedge and retained trees and landscaping within the retained Green Wedge around the Station Road/ Radbourne Lane junction.

The proposed landscaping strategy and open space proposals which are indicated on the submitted masterplan, would comprise a considerable proportion of the development site and assist in softening the visual impact of the development by integration into the wider landscape. The retention of hedges and trees within the development and creation of new areas of landscaping would reduce the adverse visual effects over time, as the planting matures. The formation and retention of views and vistas through the development towards the existing farm buildings and through to the wider landscape, would enable permeability and legibility with the surrounding area.

In terms of visual and landscape impacts of the proposal, these are not considered to be significant in the medium to long term and would satisfactorily meet the provisions of Policies GD4, H13, E17 and E23.

Residential amenity and Urban design

Whilst the masterplan proposals are indicative only at this stage, they have been assessed against the Building for Life 12 assessment. There is potential for the scheme to meet the requirements of the urban design toolkit and form a high quality living environment which takes reference from the landscape character and the original farm buildings within the development.

The Design and Access Statement gives a broad approach for the potential form and layout of the proposed housing scheme on the whole site. The proposal suggests the use of blocks of housing fronting onto open space and public realm, with the landscape features and planting integrated into the design. The type of housing proposed is primarily two storey dwellings, with a variety of house types and tenures.

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This scale and form of development would respect the general scale and height of housing in the neighbouring areas of Mickleover and the edge of rural context in which the development is located.

In terms of residential amenity, the properties on the Radbourne Gate development would be most affected by the proposal and to a lesser extent the properties to the south of the railway cutting. There would be a potential impact on living environment of these properties, which currently back onto open fields. The detailed design stage of the scheme would need to consider the relationship with existing properties and safeguard the amenities and privacy of local residents. The indicative masterplan suggests that a high quality development, which is sensitive to its local context and that a satisfactory form of housing development can be achieved on the site, which I am satisfied would address the Local Plan policies relating to design and amenity, GD4, H13, GD5 and E23.

**Section 106 package
Derby City Council**

Paragraph 173 of the NPPF advises that pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable and therefore the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. A viability report has been submitted with the application and the finances of the scheme have been independently assessed by the District Valuer.

A position has now been reached with the developers where key requirements are agreed and the proposed Section 106 package for the City would secure the following:

- **Primary School** – Provision of a one form entry school with land and core infrastructure for a one and half form entry school.
- **Secondary School** – At present there would be sufficient capacity in Murray Park to accommodate the number of pupils generated by the development. There would be an assessment of capacity on 50% occupation and a contribution per school place on remaining 50% if there's no spare capacity.
- **On Site Public Open Space** – Provision of on-site incidental and major public open space to standards set out in the Planning Obligations SPD, to be transferred to a management company for management and maintenance.
- **Highways and Sustainable Transport** –

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1. An annual contribution for 3 years, towards a bus service to access the site and provide links with the wider area, including Mickleover District Centre and Derby City Centre. The bus frequency will be every 30 minutes.
2. The provision of a pedestrian/ cycle bridge over the Mickleover/Egginton Greenway and a further contribution towards a path linking the site with the existing residential area of Mickleover. A commuted sum to the Council for maintenance of the pedestrian/ cycle bridge.
3. Improvements to the ramp leading to Mickleover Greenway footpath/ cycleway.
4. A contribution towards sustainable transport measures including:
 - Footway improvements along Station Road;
 - Measures to reduce any blocking back on Uttoxeter Road / reduce any rat running along Western Road; and
 - Remodelling of the timings at the new traffic lights associated with Radbourne Lane to provide capacity for the new traffic.

- **Affordable Housing** – 18% affordable housing on site is proposed on the basis that no review mechanism is included within the Section 106. A review mechanism is where the actual sales costs and build costs are assessed towards the end of the development and if a higher profit has been achieved, further contributions are payable. If a review mechanism is desirable then only 15% affordable housing will be provided on site. Although review mechanisms may lead to an increase in future financial contributions, it cannot lead to any further affordable housing on site. Therefore the 18% affordable housing proposal maximises the affordable housing that we can achieve on the site.

In addition, a “with grant” option for provision of affordable units on site, if the City Council is minded to use Right to Buy receipts on the site. This could see a further 8.5% affordable housing being provided on site.

- **Health** – Reservation of an area of land within the Local Centre for use as a GP surgery. The land can be called upon within 5 years of commencement to be sold at market value.
- **Drainage Maintenance** – Provision of a flood alleviation scheme, attenuation ponds and highway swales to be transferred to the City Council and payment of a commuted sum towards drainage maintenance.
- **Public Art** – A contribution towards art works within the scheme.

The Supplementary Planning Guidance (SPD) for Planning Obligations allows for generic transport corridor contributions to include public transport, pedestrian and cycle improvements. In this case, the contributions are to fund specific measures to provide bus service for the development and a pedestrian/ cycle bridge to enhance linkages to the rest of Mickleover. A further contribution is also agreed in principle to provide pedestrian/cycle improvements to the A52 corridor, which are described above. If the bus service and bridge link are to be funded separately from the generic

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transport corridor contribution, then there is highly likely to be less funding available for the other contributions in the Section 106 package indicated above. I am satisfied that the approach taken in securing the various planning contributions for this proposal, is in accordance with the SPD and takes account of the viability report for the scheme, which has been independently assessed by the District Valuer.

Section 106 package

South Derbyshire District Council

For Member's information South Derbyshire District Council are negotiating a separate Section 106 Agreement, in conjunction with the City Council. This is to ensure that there is consistency across the development and to avoid undue duplication in the contributions to be provided by the applicant. This is relevant to the obligations for the provision of health and sports facilities, which are to be secured through one Agreement only. In this case health care provision is to be secured on Phase 1 which is the City's part of the scheme. It has been agreed that sports facilities should appropriately be secured through the Etwall Leisure Centre, which is relatively near to the site. It is important to consider this development as one residential scheme, rather than two separate proposals. The agreed draft Heads of Terms for South Derbyshire is as follows:

- **Secondary Education** – Assessment of capacity for secondary education and post-16 education and payment of financial contributions if no spare capacity.
- **Drainage Maintenance** – Commuted sum for drainage attenuation pond
- **Maintenance of Public Open Space** – Maintenance sum for on-site public open space
- **Affordable Housing** – Affordable units within the development provided on the site
- **Built Sports facilities** – Financial contribution towards improvements to Etwall Leisure Centre
- **Outdoor Sports facilities** – Financial contribution towards provision of outdoor sports pitches.
- **Farmland Birds Mitigation scheme** – Provision of off-site compensatory plots for nesting farmland birds, including ground nesting birds to south west of the development site.
- **Health** – Financial contribution towards health facility.

Conclusions

Following a careful consideration of the national and local planning policy context the principle of residential development is deemed acceptable on this site. The development would contribute to securing the Council's five year housing supply as a site where housing can be delivered, subject to a high quality residential development being submitted under the reserved matters. The development of housing on most of the site is consistent with the adopted Local Plan policy and would meet the need for new housing in the city. The loss of a small part of the

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Green Wedge has regard for the Green Wedge Review, which concludes that this area serves limited function as Green Wedge. Regard has to be had for the emerging core strategy and the policies in the NPPF, which give significant weight to deliverability of housing sites to address the five year supply.

The applications are both accompanied by an Environmental Statement prepared under the EIA Regulations 2011, which assesses the environmental impacts of the proposal. I am satisfied that the environmental impacts of the scheme have been properly assessed and appropriate mitigation measures proposed to address adverse effects of the development. The identified noise impacts on properties on Starflower Way, must be balanced against the other environmental effects of the scheme, and mitigation of flood risk and drainage issues, landscape enhancement and open space proposals, protection and enhancement of areas of ecological value on and adjacent to the site.

The submission of further supporting information to specifically consider the traffic impacts and highway improvements to be delivered as part of the development scheme and to enhance public transport connections with the Mickleover District Centre satisfactorily addresses both reasons for refusal given for the previous applications. This provides evidence that the traffic impacts of the development on the local road network, in particular with improvements to the Station Road/Radbourn Lane junction would not be significant or detrimental to highway safety. The proposed extension to the bus service which is to be secured as part of the Section 106 package, would substantially improve accessibility for residents to the local facilities in the wider Mickleover area and increase the sustainability of the proposal and thereby its social and economic benefits.

These are the main factors weighing heavily in favour of both proposals:

- The relevant policies of the development plan.
- The site allocations in the emerging development plan.
- The proposals represent sustainable development.
- There is a significant shortfall in housing land supply and the proposals would add significantly to housing provision in the area.
- The proposals would deliver much needed affordable housing.

Subject to site specific, planning conditions being imposed, a suitable residential scheme can be designed on this site that can take into consideration the wider environmental issues and accordingly the site is considered to be appropriate for residential development. There are therefore no over-riding policy concerns that would warrant a refusal of permission at this stage.

8. Recommended decision and summary of reasons:

- A. To authorise** the Director of Strategic Partnerships, Planning and Streetpride to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Governance to enter into such an agreement.

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- B. To authorise** the Director of Strategic Partnerships, Planning and Streetpride to **grant permission** upon conclusion of the above Section 106 Agreement.

Summary of reasons:

The proposal is an acceptable form of residential development in principle for this green field site and Green Wedge, subject to adherence to the attached conditions and the provision of detailed comprehensive design and layout for the overall site, including integrated landscape and open space strategy. In the opinion of the Local Planning Authority there are no over-riding highway implications associated with the overall scheme, subject to provision of agreed off-site junction improvements, provision of public transport, walking and cycling facilities and a satisfactory detailed on-site layout. The noise impacts of increased traffic have been balanced with other environmental impacts on ecological and landscape features, archaeology and setting of nearby heritage assets, flood risk and surface water drainage, which would not be significant, subject to appropriate protection and management schemes being implemented. The proposal would deliver significant housing, to address the city's housing need and is considered appropriate in this location.

DER/06/15/00846 (Phase 1):

Conditions:

1. Standard condition to secure details of all reserved matters.
2. Standard condition to give two year time limit for submission of reserved matters and three years for implementation.
3. Standard condition for approval of specified plans.
4. To secure details of phasing plan for provision of; Radbourne Lane/ Station Road roundabout, number of dwellings that can be served from each access before a road linking the two accesses has been provided, when the bus service is to be provided and when footway on Radbourne Lane linking development to Radbourne Lane/ Station Road junction is to be provided.
5. The reserved matters details to be submitted under condition 1 to include precise details of roundabout junction for Radbourne Lane/ Station Road and then implemented in accordance with phasing plan agreed under condition 4.
6. On the occupation of the 200th dwelling on the site and including the site of DER/06/14/00805, an “origin and destination” survey to be undertaken as agreed with Local Planning Authority. In event that results of survey indicate that development traffic is “rat running” along Onslow Road, traffic calming measures to deter “rat running” to be provided, in accordance with details agreed and a consultation of local residents.
7. Details submitted under condition 1 to include details of internal road layout for the site to be designed in accordance with principles in Manual for Streets and conform to the 6Cs Highways Design Guide and implemented as agreed.
8. Before development commences details of measures as set out in Framework Travel Plan to be submitted and agreed by Local Planning Authority and implemented in accordance with agreed details.

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9. To secure details of tree protection plan, constraints plan and arboricultural implications assessment and tree protection in line with BS5837:2012 for all retained trees and hedgerows.
10. To secure details of a green infrastructure plan and landscaping strategy for the site, for the open spaces and landscape buffer zones to be provided within the development.
11. To secure details of a construction management plan for works on the site to control noise and dust emissions during construction phase of the development.
12. To secure details of a foul and surface water drainage scheme for the development to include SuDs drainage system and implement in accordance with timetable.
13. To secure details of a written scheme of investigation for an archaeological site investigation on the site, prior to development commencing and require results to be submitted and agreed and report of the findings to be archived.
14. To control the scale of the retail units within the local centre by restricting total floorspace to the amount specified in the application.
15. A Phase II site investigation study to be undertaken and completed and agreed before development commences. Where contamination exists a remediation method statement to be completed and agreed. Remediation to be carried out and a validation report to be agreed before development commences.
16. Details to be submitted under condition 1 to include precise details of on-site flood alleviation scheme, to include details of siting and layout and modelling for the operation of the proposed water attenuation ponds. A programme for delivery of the flood alleviation scheme to be agreed and shall be implemented in accordance with agreed timetable.
17. To secure details of a mitigation and monitoring strategy for great crested newts and their habitat, to be agreed and works to proceed in accordance with agreed strategy.
18. Recommendations of letter dated 1 September 2014 by FPCR in regard to great crested newts, bats and the traditional orchard shall be implemented in full, unless alternative scheme is agreed before work commences.
19. A management and maintenance plan for the surface water drainage features to be submitted and agreed, to include details of adoption arrangements and/ or arrangements for maintenance during life of development.
20. Details of measures to control flow of surface water from run off from green field areas and public open space and implemented in accordance with agreed details.
21. No raising of ground levels or erection of any building structure or obstruction within 5 metres of any ditch watercourse within the site, unless agreed in writing.

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Reasons:

1. To accord with relevant Town and Country Planning Legislation
2. To accord with relevant Town and Country Planning Legislation
3. For avoidance of doubt.
4. For avoidance of doubt and to ensure no adverse implications for traffic flows on Starflower Way and Station Road in interests of highway safety – Policies T1 & T4
5. To ensure free and safe flow of traffic and pedestrians in interests of highway safety – Policies T1 & T4
6. To ensure safe and free flow of traffic on local roads and in interests of highway safety – Policies T1 & T4
7. To ensure the provision of a safe highway layout within the development in the interests of highway safety and good highway design – Policies T1 & T4
8. To ensure the occupants of the development have opportunity for using alternative modes of transport – Policies T1, T6, T7 & T8
9. To ensure protection and retention of trees and hedgerows during and following construction – Policies GD2 & E9
10. In the interests of visual amenity, maintaining nature conservation value and for protection of landscape features - Policies E4, E7, E17, GD4, L3 & L4
11. To minimise risk of pollution in interests of public health and residential amenity – Policies GD2 & E12
12. To ensure satisfactory drainage arrangements for the development and to minimise flood risk to properties in the local area – Policy GD3
13. To safeguard and protect any archaeological interests on and under the site – Policy E21
14. To ensure provision of retail units appropriate to a neighbourhood centre and to protect vitality and viability of designated retail centres – Policy S2
15. To minimise risk of pollution in interests of public health – Policies GD2 & E12
16. To minimise flood risk and ensure appropriate on-site surface water attenuation in the interests of flood protection and safeguarding residential amenity – Policy GD3
17. To ensure protection and safeguarding of protected species in interests of nature conservation – Policies GD2, E4, E5 & E7
18. To ensure protection and safeguarding of protected species in interests of nature conservation – Policies GD2, E4, E5 & E7
19. To ensure satisfactory drainage arrangements for the development and to minimise flood risk to properties in the local area – Policy GD3

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20. To minimise flood risk and ensure appropriate on-site surface water attenuation in the interests of flood protection and safeguarding residential amenity – Policy GD3
21. To minimise flood risk and ensure appropriate on-site surface water attenuation in the interests of flood protection and safeguarding residential amenity – Policy GD3

DER/06/15/00847 (Phase 2a):

Conditions:

1. To secure details of reserved matters (to exclude means of access)
2. To give two year time limit for submission of reserved matters and three year time limit for implementation.
3. Standard condition for approval of specified plans.
4. To secure details of phasing plan for provision of; Radbourne Lane/ Station Road roundabout, number of dwellings that can be served from each access before a road linking the two accesses has been provided, when the bus service is to be provided and when footway on Radbourne Lane linking development to Radbourne Lane/ Station Road junction is to be provided.
5. Details submitted under condition 1 to include details of internal road layout for the site to be designed in accordance with principles in Manual for Streets and conform to the 6Cs Highways Design Guide and implemented as agreed.
6. Before development commences details of measures as set out in Framework Travel Plan to be submitted and agreed by Local Planning Authority and implemented in accordance with agreed details.
7. To secure details of tree protection plan, constraints plan and arboricultural implications assessment and tree protection in line with BS5837:2012 for all retained trees and hedgerows.
8. To secure details of a green infrastructure plan and landscaping strategy for the site, for the open spaces and landscape buffer zones to be provided within the development.
9. To secure details of a construction management plan for works on the site to control noise and dust emissions during construction phase of the development.
10. To secure details of a foul and surface water drainage scheme for the development to include SuDs drainage system and implement in accordance with timetable.
11. To secure details of a written scheme of investigation for an archaeological site investigation on the site, prior to development commencing and require results to be submitted and agreed and report of the findings to be archived.
12. A Phase II site investigation study to be undertaken and completed and agreed before development commences. Where contamination exists a remediation

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method statement to be completed and agreed. Remediation to be carried out and a validation report to be agreed before development commences.

13. Details to be submitted under condition 1 to include precise details of the on-site flood alleviation scheme, to include details of siting and layout and modelling for the operation of the proposed water attenuation ponds. The agreed alleviation scheme to be implemented in accordance with agreed timetable.
14. The section of Radbourne Lane hedge to be removed to form the vehicular access onto Radbourne Lane, shall be subject to a method statement, to include precise details of hedge to be removed and mitigation proposals for planting of replacement hedge within the development. Details to be submitted and agreed and implemented in accordance with agreed details.
15. Recommendations of letter dated 1 September 2014 by FPCR in regard to great crested newts, bats and the traditional orchard shall be implemented in full, unless alternative scheme is agreed before work commences.
16. A management and maintenance plan for the surface water drainage features to be submitted and agreed, to include details of adoption arrangements and/ or arrangements for maintenance during life of development.
17. Details of measures to control flow of surface water from run off from green field areas and public open space and implemented in accordance with agreed details.
18. No raising of ground levels or erection of any building structure or obstruction within 5 metres of any ditch watercourse within the site, unless agreed in writing.

Reasons:

1. To accord with relevant Town and Country Planning Legislation
2. To accord with relevant Town and Country Planning Legislation
3. For the avoidance of doubt.
4. For avoidance of doubt and to ensure no adverse implications for traffic flows on Starflower Way and Station Road in interests of highway safety – Policies T1 & T4
5. To ensure the provision of a safe highway layout within the development in the interests of highway safety and good highway design – Policies T1 & T4
6. To ensure the occupants of the development have opportunity for using alternative modes of transport – Policies T1, T6, T7 & T8
7. To ensure protection and retention of trees and hedgerows during and following construction – Policies GD2 & E9
8. In the interests of visual amenity, maintaining nature conservation value and for protection of landscape features - Policies E4, E7, E17, GD4, L3 & L4
9. To minimise risk of pollution in the interests of health – Policies GD2 & E12

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10. To ensure satisfactory drainage arrangements for the development and to minimise flood risk to properties in the local area – Policy GD3
11. To safeguard and protect any archaeological interests on and under the site – Policy E21
12. To minimise risk of pollution in the interests of health – Policies GD2 & E12
13. To minimise flood risk and ensure appropriate on-site surface water attenuation in the interests of flood protection and safeguarding residential amenity – Policy GD3
14. To safeguard Local Wildlife Site and mitigate for loss of habitat in interests of nature conservation – Policies GD2, E4, E5 & E7
15. To ensure protection and safeguarding of protected species in interests of nature conservation – Policies GD2, E4, E5 & E7
16. To ensure satisfactory drainage arrangements for the development and to minimise flood risk to properties in the local area – Policy GD3
17. To minimise flood risk and ensure appropriate on-site surface water attenuation in the interests of flood protection and safeguarding residential amenity – Policy GD3
18. To minimise flood risk and ensure appropriate on-site surface water attenuation in the interests of flood protection and safeguarding residential amenity – Policy GD3

Informative Notes:

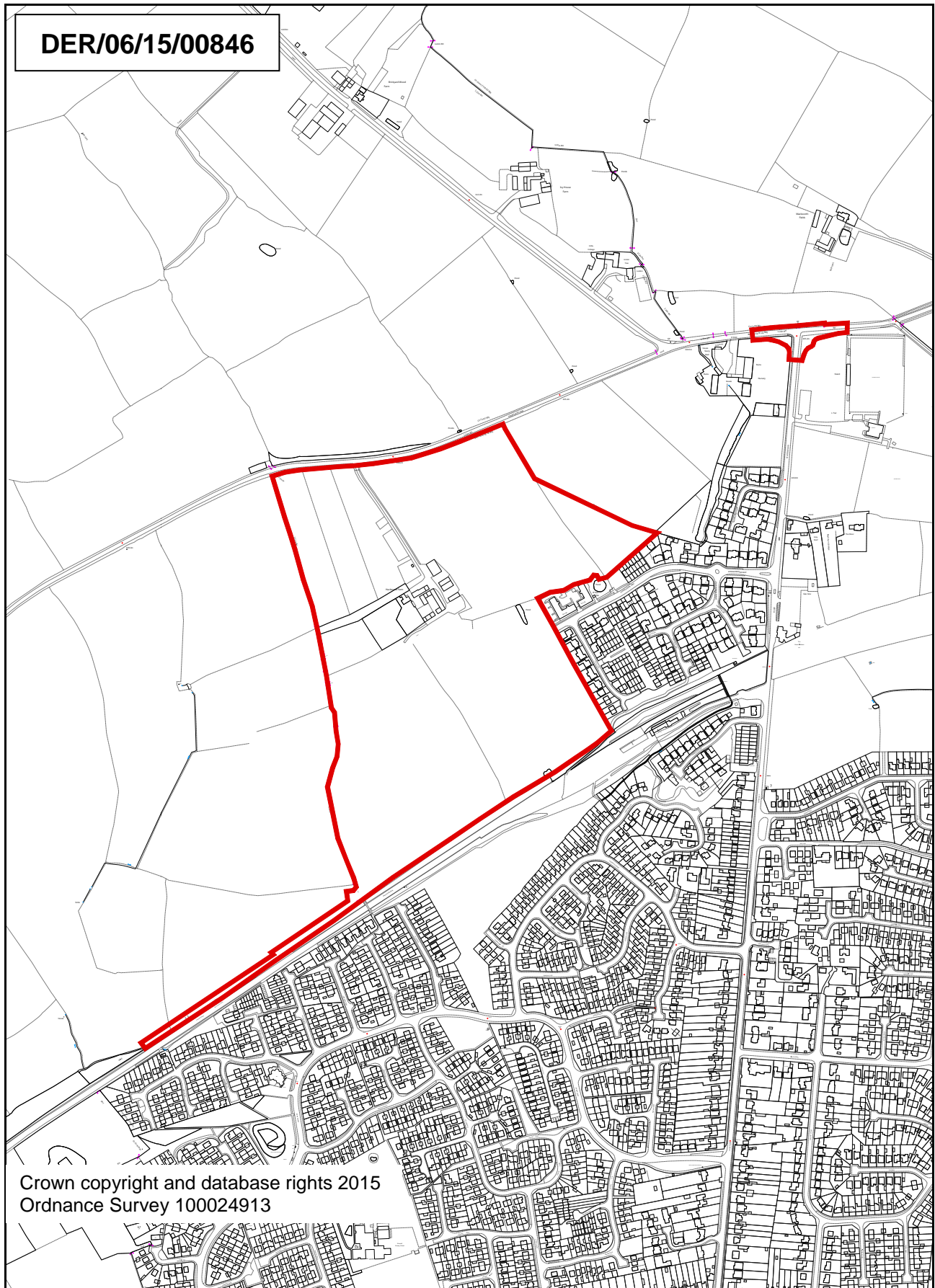
- 1) The above conditions require works to be undertaken in the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. In order for these works to proceed, you are required to enter into an agreement under S278 of the Act. Please contact Robert Waite Tel 01332 641876 for details. Please note that under the provisions of S278 Highways Act 1980 (as amended) commuted sums will be payable in respect of all S278 works.
- 2) Derby City Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). You should be aware that it is an offence to build dwellings unless or until the street works costs have been deposited with the Highway Authority.
- 3) For details of the 6C's design guide and general construction advice please contact Robert Waite Tel 01332 641876.

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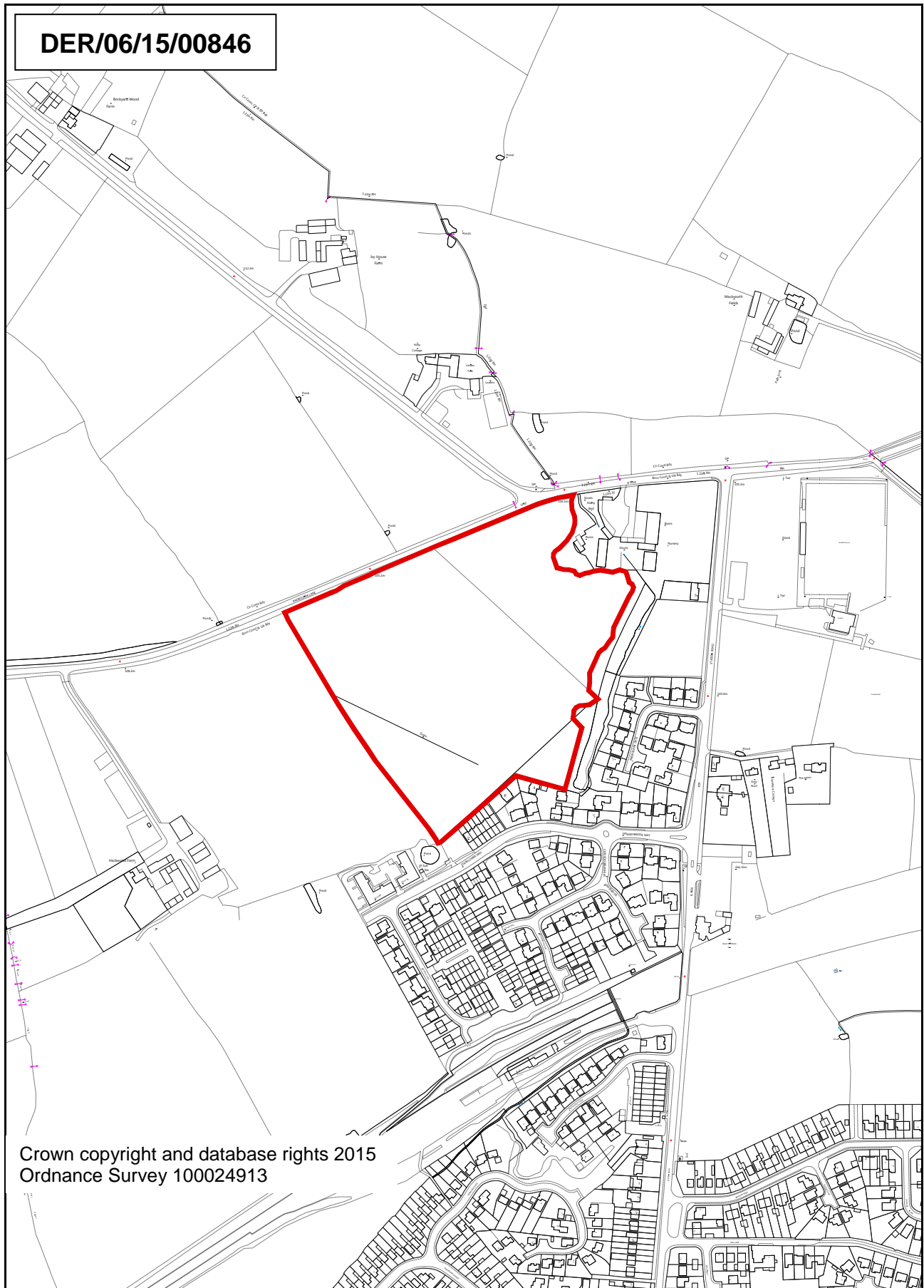
**Type: Outline, 06/15/00847 –
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Classification: OFFICIAL

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With Means of Access



1. Application Details

Address: River Derwent Corridor including sites from Darley Abbey, Little Chester, Chester Green, North Riverside, Bass Rec', Pride Park to Alvaston Park, Derby.

Wards: Arboretum, Alvaston, Chaddesden, Darley, Derwent and Spondon.

Proposal:

Outline application with full details of 'Package 1' for flood defence works along the river corridor involving: demolition of existing buildings, boundary treatments and flood defence walls, removal of existing flood embankments, vegetation and trees, the raising, strengthening, realigning and construction of new flood defence walls, embankments, access ramps and steps, demountable flood defences and flood gates, the construction of replacement buildings, structures and community facilities, alterations to road, footpath and cycleway layouts along with associated and operational development in the form of ground works, archaeological investigation works and landscaping works to reinstate sites with environmental enhancements included.

Further Details:

Web-link to application documents –

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 97815>

The Our City Our River (OCOR) project involves the provision of new flood defences for Derby City to address flood risk. The City Council is the promoting authority for the project and is the applicant. The delivery of the project is being supported by the Environment Agency. The area of the project extends 3.5km upstream of Derby to the A38 and 10km downstream of Derby to Shardlow. Development proposed in this planning application involves the provision of new flood defences and associated works for the City within that project area.

The planning application is a 'hybrid' as it includes elements for which full planning permission is being sought and elements for which only outline planning permission is being sought. It is a large and complex scheme which, it is envisaged, could take approximately 7 years to implement. Its complexity has meant that it has been split into three 'packages' and this is to ensure an optimum sequence of delivering the different parts of the scheme. The sequence has been derived to ensure that benefits arising from the scheme are delivered at the earliest opportunity and that short term increases in flood risk to other sites are minimised. Such a delivery timescale means that flood risk will not be immediately lessened for everyone everywhere but it is indicated that the project is committed to delivering the scheme in a short a timeframe as possible. The project aim is to build the defences between 2015 and 2022. Package 1 comprises all sites between the Alfreton Road Industrial Estate in the north and Sowter Road in the south with the exception of works at Darley Abbey Mills Bridge. The outline construction programme for package 1 is 2015-2018. Package 2 comprises the sites at Breadsall, Darley Abbey Mills Bridge, all sites between North Riverside and Meadow Lane and sites at Derby Junction Railway Bridge, Pride Park, Ambaston and Shardlow. The outline construction

1. Application Details

programme for package 2 is 2015-2020. Package 3 works involve all sites between Chaddeden Sidings and Raynesway on the north side of the river in addition to Alvaston Park on the south side. The outline construction programme for package 3 is 2020-2022. It is acknowledged that this programme is subject to all necessary consents being achieved as a number of other consents and licenses will be required for the delivery of the works and this would include listed building consent and scheduled monument consent.

The full elements of the planning application include those that involve standalone defences and are generally works proposed to be undertaken towards the earlier phase of the project. Those submitted in outline include elements of the works where all the key elements of its design are not yet confirmed. Outline planning permission is also sought for the flood defence requirements on development sites where it is anticipated that integrated flood defences will be delivered by third party developers as part of the redevelopment of a number of identified sites. Outline planning permission being sought generally seeks permission for matters of layout and scale as the alignment of the flood defences is specified along with their height. It is assumed that defences at development sites will be delivered by third parties as part of the redevelopment. These defences will connect to the stand alone defences that are proposed to be delivered by Derby City Council.

The timeframe for development on the development sites will be critical particularly for those identified in package 1 as a form of flood defence will need to be delivered across those sites to ensure that a continuous line of defence is delivered and the stated flood risk benefits achieved. The programme assumes that all package 1 sites will be delivered by 2018 and this includes Aida Bliss, Lower City Road and Britannia Court. It also included Bath Street Mills and this development is in the process of being constructed and is close to completion.

The City Council is at present; actively promoting the redevelopment of those sites and is engaging in discussions with land owners. Some have stood vacant for many years and it is hoped that certainty over the provision of defences provided by the OCOR scheme will assist in addressing the flood risk that poses a significant constraint to their redevelopment. If redevelopment proposals do not come forward in an appropriate timescale, the intention is to deliver the defences on those sites either by erecting stand-alone defences using powers under the Water Resources Act 1991 or alternatively where appropriate, as part of a regeneration scheme to deliver economic, social or environmental well-being of the area by using CPO powers to acquire the land.

It should be noted that the environmental effects identified in the Environmental Statement were based on the presence of flood defences along the alignments and heights specified in this application which seeks only outline planning permission for flood defences on the development sites with no potential future use of those sites being established. Any uncertainties with regards to final design details (in terms of access, landscaping and external appearance which are reserved matters) have been noted where they affect the significance of any identified effects. As part of the process of considering any future planning applications for new developments on the

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identified development sites, the appropriate developer will be required to support any such planning application with all the necessary information for its impacts and effects to be adequately assessed and this information may include an environmental assessment and consideration of the cumulative effects arising from their proposal for the OCOR scheme. The level of information considered necessary, would be determined on a site by site basis. On completion of any such development it is indicated that the Environment Agency or the Council may seek to designate the part of any building which functions as a flood defence as a 'third party asset' using the powers contained in the Flood and Water Management Act 2010. Such a designated structure cannot be altered removed or replaced without the consent of the Authority responsible for the designation. Such a designation would be a local land charge but would not require maintenance of the asset. These measures would provide some certainty over the long term protection of the flood defence asset.

The new flood risk management assets delivered by this project (with the exception of any outside of Derby City in Ambaston and Shardlow) will become assets of the City Council who will be responsible for their operation and maintenance. Most assets on the development sites will be retained by the owner of the site. The Environment Agency and Council has agreed a process to ensure that they will be properly inspected, maintained and operated. The intention for defences on development sites is that developers of the sites will as part of the process of securing planning permission enter into an obligation making them responsible for future maintenance of defences on their land.

The new defences will be a mix of walls and embankments and in some locations, new water control structures and pumping stations will be built to prevent flood water from backing up into the surface drainage and sewerage systems. It should be noted that some works within the drawings submitted with the application are to be implemented using powers, delegated from the Environment Agency. These are the Environment Agency's permitted development rights under Part 13 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Under this part of the regulations, the Environment Agency has powers to undertake development for the purposes of their functions associated with water resource management; watercourse and flow maintenance, survey and investigation; flood defence and watercourse improvement, maintenance or repair; emergency drought orders; and any other development (other than the provision of a building) in, on or under their operational land.

Development proposed in this planning application involves the provision of new flood defences for the City that would be designed to protect against a flood from the Derwent with a 1% (1 in 100) annual chance of occurrence. The meaning of a 1:100 year flood event does not indicate that a flood will occur in any highlighted area only once every 100 years. The 1:100 event is a statistical definition which means that there is a 1% chance that an area will flood. Evidence indicates that our climate is changing and climate change is expected to lead to more frequent and severe flood events. The flood defence levels specified for the stand-alone defences that are proposed in this planning application include an initial allowance for future climate

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change, being designed to contain a 5% increase in the present day 1% (1 in 100) annual chance peak flow (this includes an allowance for predicted climate change up to 2025). Predicted climate change over the rest of this century is expected to result in an increase in the magnitude and frequency of large flood lows. Left unchecked, this would result in a decrease in the standard of protection provided by the proposed defences. To allow for further adaptation for further climate change, the foundations of the stand-alone defences will be designed to be 'oversized' meaning the defences can be raised rather than replaced at a later date, if required. This approach is considered to be appropriate for the stand-alone defences as they will be owned and operated by Derby City Council and it is reasonable to assume that the Council will be present throughout the lifetime of the scheme. A precautionary approach has been taken towards flood defences on development sites as these will be owned and operated by third parties. It is likely that the defences may be integral to the fabric of the buildings in some cases and it may not be possible to raise them in the future. It cannot be guaranteed that third party developers would be present throughout the lifetime of the scheme to undertake any further raising works either. The defences on development sites will therefore accommodate the predicted impacts of climate change throughout the design life of the development, typically 100 years.

The design levels for the proposed flood defences have been derived from a linked model of the Lower Derwent which was produced for the purpose of strategic flood risk mapping. Uncertainty or sensitivity associated with modelling outputs have been accounted for using a freeboard allowance which is a safety margin included in the design height of the defences. The freeboard allowances vary along the length of the scheme due to the changing sensitivity of the model to variations in key hydraulic parameters e.g. flow and roughness. A Freeboard Assessment Report was submitted in support of the application and it provides background detail and information on the freeboard allowances used in the scheme.

It is assumed that a groundwater cut-off will be required for most of the defences to prevent seepage under them and foundation designs for the walls and embankments extend up to 9m in places. Sheet pile cut offs will be installed to the depth of bedrock material in areas where there are no continuous bands of impermeable material present within the soil. These are proposed within Little Chester, Aida Bliss, Etruria Gardens, City Road, St. Mary's Bridge, Sowter Road, Full Street, Exeter Bridge, North Riverside, Meadow Lane, Mill Fleam, Derwent Parade Outfall, Chaddesden Brook Outfall, Chaddesden Triangle and Raynesway sites. Cut offs to the depth of bedrock material are required in order to prevent flood water seepage under the defences. Within the Northedge and Energas areas of the Alfreton Road Industrial Estate and at Duke Street, shallow piled cut offs are proposed. Those works involve the installation of cut offs to approximately 2m down to clay layers along with the use of 8m long bored reinforced concrete piles at 5m intervals for stability. Desk studies have indicated that there is a clay band at approximately 2m depths within these two locations which would allow shallow ground water cut offs to be utilised to prevent flood water seepage underneath the flood defences.

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The River Derwent has a documented history of flooding. In 1965 nearly 700 properties were flooded and more recently in 2000 and 2007 flooding caused significant traffic disruption and flooding to a limited number of properties. The majority of the existing flood defences in Derby were built in the 1960's and 1970's. The Flood Risk Assessment submitted with the application indicates that the flood of November 2000 is estimated at around a 5% (1 in 20) annual chance flood. The Environment Agency's Lower Derwent Strategy identified that Derby has a 2-4% (1 in 25 to 1 in 50) chance of flooding in any given year. During the flood in 2000 the defences were not overtopped but flood levels in the Derwent were very close to the crest of the defences in many places. The existing defences are also reaching the end of their design life and are in a poor condition and therefore it is considered that there is a high level of risk.

The Lower Derwent Flood Risk Management Strategy adopted in January 2011 sets out the Environment Agency's preferred approach to managing flood risk along the lower reaches of the River Derwent including Derby. The Strategy identified that it was not possible to store enough water during a flood to reduce flooding by the amount needed. Changing land management and improving conveyance (improving the passage of water down the river) past bridges have the potential to lower flood water levels and help combat the effects of future climate change. However, the strategy indicated that carrying out these measures alone will not reduce flood risk in Derby enough particularly for severe flood events. Therefore raised flood defences are also required. The 'preferred approach' of the Strategy to flood risk management therefore identified certain priorities and these included providing replacement, realigned and construction of new flood defences along with improving conveyance around structures. The Strategy concluded that this was best achieved by 'setting back' flood defences away from the river to create a blue corridor through the centre of Derby. This would have the advantage of lowering the height of the defences and minimising any increase in flood risk upstream and downstream of the works. It is considered that raising the height of the existing defences on their current alignment would have a negative impact on the riverside and City environment. The Strategy set out a plan for a new line of flood defences through the City that would make more space for flood water to move through the city. This will reduce the height of the defences in the city and minimise changes in water levels in upstream and downstream communities. It is also considered that setting back flood defences can create a better riverside environment for people and nature by opening up more green space, restoring the floodplain and making the riverside safer and more appealing for residents and visitors.

The proposals and approach of the Lower Derwent Flood Risk Management Strategy were taken forward and outlined in the OCOR Masterplan which was adopted by the Council in July 2012. The OCOR Masterplan sets out a vision to reduce flood risk in Derby and transform the City's relationship with the River Derwent by helping to encourage economic regeneration in areas currently at risk of flooding. An important aspect of the OCOR project is setting back the flood defences to maximise channel and floodplain capacity through the city. The Masterplan identifies a number of

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‘development sites’ to address the need to redevelop derelict and brownfield sites along the river. The five key objectives set out in the Masterplan are:

- Reduce flood risk to protect people, property and jobs.
- Maximise regeneration and sustainable development opportunities along the river frontage.
- Release economic potential of brownfield sites currently at significant risk of flooding.
- Enhance the significant heritage assets of the city, to help promote tourism to the city.
- Enhance ecology, wildlife and biodiversity along the river and deliver Water Framework Directive objectives.

This planning application aims to provide the detail of the development works that would needed to be implemented to achieve the aims of the Masterplan.

The planning application is supported by a Flood Risk Assessment (FRA). The study area of the FRA extends from the A38 crossing at the north of Derby to the Derwent’s confluence with the River Trent. A hydraulic model of the River Derwent had shown these to be the maximum extents of influence of the Our City Our River scheme on flood levels. A 1:100 flood event is defined as a severe flood event and it is indicated in the FRA submitted with the application that in Derby around 2,250 properties would be at risk in such an event. This includes over 1,450 homes, approximately 800 businesses, key infrastructure (including the Silk Mill electricity sub station, Spondon water treatment works, highways and railways) and heritage assets. Information supporting this planning application indicates that the city is protected from moderate floods by the current defences with the open areas within the natural floodplain upstream and downstream of the city widely flooded. The flooding extents outside of the city change little for larger floods but defences in Derby are overtopped, resulting in extensive flooding of residential, retail and industrial areas along the River Derwent corridor. It is indicated that flood depths and velocities are such that most of Derby is classified as being in an area of “significant flood hazard” i.e. where flooding presents a risk to life and is likely to cause extensive damage to property and infrastructure. The Our City Our River project is proposed to provide a 1% (1 in 100) annual chance standard of flood protection from the Derwent to some 2095 properties. Information supporting the planning application indicates that package 1 is proposed to protect 1140 properties, package 2 is proposed to reduce the risk of flooding to 771 properties and package 3 reduces the risk for 185 properties. The contribution for package 3 is smaller as these works are largely to mitigate against increase in flood risk resulting from the project itself. The 155 properties not protected by the scheme that would be at risk from a 1% (1 in 100) annual chance flood include properties at Darley Abbey and on the riverward side of the defences at North Riverside. Further information on this is outlined in this report including the mitigation measures that are proposed to be provided.

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The works that are subject of the application involve a form of development identified in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 (as amended) in section 10 (h) as inland waterway construction and flood relief works. Given that the applicable threshold identified in Schedule 2 would be exceeded by the project, it would be considered a Schedule 2 development for the purposes of those regulations. The thresholds for flood relief works identified in Schedule 2 are exceeded by the project area and given the environmental sensitivity of some of the geographical areas likely to be affected by the development, along with the scale of the works proposed and the nature of likely impacts, it was concluded that the project will have significant effects on the environment. A full assessment of the environmental impacts of the project was therefore required and an Environmental Statement (ES) was submitted with the planning application. The EIA process involves the collection and assessment of information about the estimated environmental effects of a project and mitigation measures are proposed which aim to minimise any resulting environmental effects. The ES includes a non-technical summary and it was submitted with the application along with a Design and Access statement, Statement of Community Involvement and Planning Policy Assessment, a Flood Risk Assessment, Tree Survey, Hydraulic Modelling Report, Assessment of Freeboard Report, a Contaminated Land Desk Study, a Ground Investigation OPUS Factual Report and a Geotechnical Desk Study Report. In addition, detailed reports on archaeology have been provided and include, a Darley Abbey Bridge Assessment Report, a Darley Playing Fields Geophysical Survey, a Stage 2 Desk Based Assessment, a Little Chester Evaluation, a Little Chester Roman Fort Evaluation and a Parkers Piece Geophysical Survey. A structural assessment has been provided for St Marys Bridge and an inspection report for Darley Abbey Mills Bridge. In terms of ecology, the application is also supported by a Preliminary Ecological Appraisal, a Bat Inspection Report for buildings, a Bat Report in respect of St Mary's Bridge, a St Mary's Bridge Bat Survey, Bats Tree Roosts and Activity Surveys, a Great Crested Newt Survey report, a Watermeadows Ditch fish survey and a Watermeadows Ditch species survey. These documents should provide a clear understanding of the potential significant effects of the scheme upon its environment and mitigation measures proposed to avoid or ameliorate those effects. The flood defences that are proposed to be constructed using the permitted development rights of the Environment Agency do not require planning permission but they form part of this hybrid planning application. This is because the application should be assessed taking into account the effects of the permitted development works as part of the given baseline of that continuous line of defences. There is a need for the ES to consider the whole of the Our City Our River project works so that cumulative impacts of the development can be assessed.

The river is crossed by seven road bridges, two railway bridges and three pedestrian only bridges within the project area. There are also two national cycle network routes a local cycle network and numerous Public Rights of Way. There is one Air Quality Management Area within the project area. The planning application area extends to include the southern extent of the Derwent Valley Mills World Heritage Site along with nationally important scheduled and unscheduled Roman remains at Little Chester,

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the scheduled and listed St Mary's Bridge along with other significant archaeological sites and listed buildings. The works extend into the Darley Abbey, Little Chester, Strutts Park, City Centre and Railway conservation areas. There are also locally designated wildlife sites and numerous trees within the project area and the material considerations in determining this planning application are extensive.

Given its scale, the areas covered by the proposed works is split into a series of individual sites and these are identified by specific names and drawings numbers in the plans, drawings, documents and ES which support this planning application. To follow is an outline description of each of those sites and the works proposed as part of this application for planning permission.

Breadsall – Booker Wholesale.

Full planning permission is sought for these works which are proposed to be built as part of package 2.

This area of the project is at the northern extent of the river corridor. Booker wholesale is a commercial site allocated as existing employment land in the CDLPR. It is located at the northern end of Alfreton Road and just within the City boundary. The A61 extends to its east. The Midland Mainline Railway extends to the west of the site and it is separated from the Upper Derwent Valley green wedge and World Heritage Site buffer zone by the railway line. Full planning permission is sought for a 450m long section of new floodwall that would extend alongside the northern, eastern and western boundaries of the Booker wholesale Site. The wall would be set at least 1.5m from the outside wall of the Booker wholesale building to ensure pedestrian access is maintained between the wall and this commercial property. The floodwall is proposed to extend between 0.4m and 0.6m in height with its highest levels towards the northern ends of the site where ground levels are lower. At the southern end, the flood walls would meet higher ground. Along the western boundary, the line of the floodwall would extend around an existing access road and turning area and would sit in between the Booker wholesale site and the adjacent railway line. The flood wall is proposed to have a fair faced concrete finish.

The proposed flood wall is to be constructed within the grass verge that surrounds the Booker wholesale site. Tree groups which surround the area are identified in the information supporting the application as being protected during the works and six trees in a 'poor-fair' condition will require removal.

A temporary site compound is proposed to be located within the curtilage of the Booker Wholesale site. Such works can be undertaken as permitted development under Schedule 2, Part 4, Class A of the General Permitted Development Order.

These defences are proposed as mitigation for a small increase in flood levels in severe flood events as a result of the other defences proposed through the city centre. Without new walls in this location, a small localised increase in flood risk around Booker Wholesale and the Railway would result. It is not indicated that this would open a flow route for water further south into Little Chester.

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Breadsall – Alfreton Road Railway Bridge.

Full planning permission is being sought for this element of the works which is to be built as part of package 2.

The railway forms part of the Midland Mainline and this section lies between Derby and Chesterfield. The bridge sits at the northern end of Alfreton Road. The information supporting the planning application indicates that flooding of the railway line near to Alfreton Road Railway Bridge is predicated to occur during a 1 in 75 annual chance flood or greater. As a result of new flood defences being constructed as part of the Our City Our River project, during a 1 in 100 annual chance flood, water levels in this area would increase by 0.04m. A number of options have been considered to mitigate for this increase in flood risk and the planning application proposes provision of a temporary demountable defence across the railway line, between the abutments of Alfreton Road Railway Bridge which is grade II listed. The demountable defence would extend to 38m in length and 0.6m in height. A secure storage kiosk is proposed to be located on land to the west of the railway line. It is proposed to extend to some 6m in width, 6m in depth and 3.5m in height. The kiosk is proposed to provide storage for the barrier when not in use and it would be accessed via an existing pedestrian access from Alfreton Road. The deployment of the temporary defence will be undertaken by Network Rail and specific details of the design and deployment will be agreed with Network Rail as landowners.

Darley Abbey.

At Darley Abbey, the proposed works involve elements for which outline planning permission is being sought that would be delivered as part of package 2. Other works at Darley Abbey are also outlined in the application that is to be undertaken using the permitted development rights of the Environment Agency under part 13 of the GPDO. Maintenance works to existing flood defences are also proposed and these are also outlined in the planning application information.

The area of Darley Abbey involved with this planning application includes the Darley Abbey Mills, which is a collection of historic mills buildings that are designated as a World Heritage Site (WHS), and a number of residential properties that sit to the east and south of the Mills. Collectively, they are all bounded by existing flood defences. The defences comprise a combination of flood walls and embankments that extend within the curtilage of residential gardens in Folly Road and the historic Mills and business units within the Darley Abbey Mills properties. The western boundary of the Derby Rugby club also incorporates existing flood defences. During a flood, those defences form a 'ring bank' around the Darley Abbey Mills which is surrounded by the river to the north, west and south and low lying land either side of Haslams Lane. The information provided with the planning application indicates that those defences provide protection against events smaller than a 1 in 50 annual chance flood.

The planning application also involves properties located on the west bank of the river at Darley Abbey that are not protected by flood defences and this includes the Abbey pub which is a scheduled ancient monument. The information supporting the planning application indicates that flooding of these properties is expected to commence for events exceeding the 1 in 50 annual chance flood and it is noted that

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Mill House is particularly low lying with flooding of this property indicated as predicted to occur during a 1 in 20 annual chance flood.

Outline planning permission is sought for the replacement of the Darley Abbey Mills Bridge deck. The bridge crosses the river between Old Lane and Haslams Lane in Darley Abbey and forms a key access into the Derwent Valley Mills World Heritage site. It is a six span reinforced concrete bridge deck with cast iron piers. The World Heritage Site includes a number of listed buildings of grade I II* and II and the bridge is a listed curtilage structure that is also within the Darley Abbey Conservation Area. The repair or replacement of the bridge is outlined in the application as being critical to the future of the Darley Abbey Mills as it can provide a flood access route. Whilst it is not the primary advertised route to the Mills it is indicated that it is used by those employed there and it provides the highest access point to the Mills. When Haslam's Lane has flooded, information supporting the application indicates that the bridge then provides the only means of access to the Darley Abbey Mills site. A structural and archaeological survey report and a desk based assessment draft report have been submitted in support of the application and they provide information on the history and condition of the Darley Abbey Mills Bridge. They advise that research indicates that there has been a bridge in this location since 1811 and there are likely to be three phases of bridge development that continue to remain. This includes parts of sub structure including cast iron cross beams constructed around 1853 and evidence of earlier masonry abutments, possibly dating from the late eighteenth and early nineteenth century. The reinforced concrete deck, parapet and railings appear to be of later construction from the 1930's. The reports indicate that the bridge is in a poor condition mainly due to extensive concrete spalling and exposed corroded reinforcement to the bridge soffit. The archaeological study recommends preserving the cast iron piers and old masonry abutments as these are the evidence of the earliest identified phase of the bridge. The concrete upper structure is indicated as having little historic value being late in the development sequence and is suggested to be visually out of keeping with the Mill site as a whole. The scale of the works to the bridge, outlined in the planning application, involves the removal of the existing concrete deck and its replacement with a new deck 0.1m higher. The strengthening of the existing iron piers and foundations is also proposed as it is indicated that the bridge would be designed to take the load of fire engines to improve emergency service access to Darley Abbey Mills and Folly Road. It is understood that a potential solution for this work may involve driving 9m long universal columns within the existing hollow iron columns and filling the piers with concrete. Apart from cleaning and painting such works are considered unlikely to change to the visual appearance of the piers. Only outline planning permission is being sought, with layout and scale details provided and the application clarifies that the position of the replacement bridge deck would remain the same as the current deck but provision would be made to segregate vehicular and pedestrian access. Details relative to the appearance of the works are reserved for future approval.

As part of the Our City Our River project, routine maintenance is proposed to be undertaken by the Environment Agency to the existing flood defences in this area. This involves the clearance of overgrown vegetation and reconstruction of parts of

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the existing flood bank along a 10m stretch in the garden of Nevinson House on Folly Road. It also involves the replacement of copings and repointing of joints along a 50m section of existing flood wall around the northern edge of Darley Abbey Mills.

Works to be undertaken as permitted development include the installation of a new chamber and non-return valve at the southern end of Folly Road to prevent flood water from backing up into the surface water system. This would involve the construction of a new 3m deep chamber below existing ground levels. The chamber would be located adjacent to the footpath to at the southern end of Folly Road, north of Watermeadows ditch. Permitted development works also involve the provision of flood resilience measures to properties on the west bank of the river. Property level protection measures (PLP) are proposed to be offered to 43 properties and would include residential and commercial properties. They would include the Abbey public house which is a scheduled monument, properties in the Darley Abbey Mills Conservation Area and other listed buildings. The information in the application indicates that PLP measures would increase the threshold for flooding of those properties by up to 0.6m. PLP measures could include but would not be limited to air brick covers, stop boards, non-return valves and pumps for ground water. It is indicated that structural surveys would be undertaken during detailed design to determine the appropriate standard of protection that could be achieved for each property. It is also noted that these proposals would not provide safe access and egress during a flood event therefore an enhanced flood response plan should be agreed with Derbyshire County Council to ensure that adequate warning is given to property owners.

Alfreton Road Industrial Estate (North).

Full planning permission is sought for this element of the works that is proposed to be delivered as part of package 1.

The Northedge site is located towards the northern end of the Alfreton Road industrial estate. It is an industrial site and has recently had the majority of its buildings demolished apart from a large occupied industrial unit in the north-west corner. It is in the process of being developed for other industrial uses and planning permission has recently been granted for its redevelopment. The land within the Northedge site is allocated as existing employment land and it abuts the Upper Derwent Valley Green Wedge to the west and the WHS. The site is within the WHS buffer zone. Full planning permission is sought for a flood defence across the northern edge of the site that would extend to 235m in length and 0.3m in height. The defence is proposed to comprise a 1.5m wide concrete slab with a fair-faced finish and seepage cut off of approximately 2m depth. The flood defence is proposed to be located on the land which forms part of the Northedge site and it would form part of a footway that would extend alongside a proposed access road within the Northedge site. Concerns over the stability of an existing retaining wall at the northern edge of the site meant that its raising was not possible without a re-build and the decision to form the defence as part of the footway alongside the access road being proposed by the developer, has been pursued following discussions with

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the landowner. A public right of way (Breadsall footpath 5) extends to the north of this site.

Along the northern edge, a section of flood wall of 0.6m height is proposed with a 1.5m deep mass concrete cut-off and fair face finish. This defence would link up to a new flood wall proposed on the western edge of the site. This would extend to 90m in length and 0.6m in height. The 0.3m wide flood wall is proposed to have a seepage cut-off. The concrete foundation and walls of the occupied industrial building in the North West corner of the Northedge site would form part of the flood defence as there is insufficient space for a standalone defence between this building and the Watermeadows Ditch. This building would require flood resilience works to prevent flood water entering air bricks and backing up through drainage outfall pipes. The flood defences along this western edge of the site would link directly into those defences proposed along the western edge of the Energas site that are identified as Alfreton Road Industrial Estate (Central).

Along the western edge, the flood wall would be aligned along the top of the bank of the Watermeadows Ditch which is a local wildlife site and is tree lined. On the west side of Watermeadows Ditch is a Public Right of Way (Darley Abbey Footpath 5) which forms part of the Derwent Valley Heritage Way.

Alfreton Road Industrial Estate (Central).

Full planning permission is sought for this element of the works which is proposed to be constructed as part of package 1.

The central section of the Alfreton Road Industrial Estate flood defences extends between the Northedge site to the north and the Draka site to the south. The proposed defences would extend across Haslams Lane as part of this element of the works. The Energas site is an industrial site, allocated as existing employment land in the CDLPR and the company run an operational gas distribution centre from the site. On the site is a large industrial building that sits close to the western boundary. The Watermeadows ditch continues to extend along the western edge of this sites boundary. The western boundary also forms the boundary between the Derwent Valley Mills WHS and its buffer zone.

The existing flood defences in this area comprises a reinforced concrete flood wall which extends up to approximately 1m height. It extends alongside the western boundary of the site. Full planning permission is sought for the removal of the existing 200m long flood wall and its replacement with a new 200m long defence. From its junction with the Northedge site, the first **m is proposed to comprise a continuous sheet pile flood defence up to 0.55m high with welded clutches and a steel capping beam. The piles are proposed to be driven to a depth of approximately 8.5m depth. On the eastern side of the defence a 2.1m high wire mesh fence is proposed to provide a secure boundary for the adjacent Energas, industrial site. For the remaining **m of this site boundary, the flood defence is proposed to comprise a 1.2m high continuous sheet pile flood wall. A 0.9m high wire mesh fence is proposed to be located on the top of this part of the works, to ensure a continuous 2.1m high enclosure around the site. The sheet piles along this boundary are proposed to form

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both the seepage cut-off and flood wall. The defences are proposed to extend on land within the ownership of Energas. They would follow the line of the existing defences in places, and along the line of the existing boundary fence in other sections.

Trees which extend alongside the boundary and alongside the Watermeadows ditch are proposed to be retained with protective measures, as far as possible. However, tree removal will be necessary to provide the required working area and adequate sight lines for safe working. Replanting of lost trees is proposed on a 1:1 basis and as close to the original positions as possible.

Alfreton Road Industrial Estate (South).

Full planning permission is also sought for this element of the works which are proposed to be delivered as part of package 1.

At the southern end of the Energas site, the flood defences are proposed to cross Haslams Lane. This is a private highway that provides one of only two access points into Darley Abbey Mills, residential properties on Folly Road and the Rugby Club. It also forms part of National Cycle route 54. The works here would involve the regarding and resurfacing of the road levels by up to 350mm. A 6m wide and 0.5m high flood gate is proposed to be constructed to provide a defence across the road. The normal position of the gate will be in the open position and it would only be closed when there is a risk of flooding. The flood gate is proposed to be supported by 0.6m high abutments on both sides which are proposed to be brick clad. They would link into brick clad sections of flood wall extending to the north and alongside Energas and to the south and alongside the Draka site.

Extending further southwards along the Alfreton Road industrial estate is the former Draka site. It is an industrial site that is allocated as existing employment land in the CDLPR and is also in the process of redevelopment for industrial use. Extending to its west is the Rugby Club and the western boundary of the site is the boundary between the WHS and its buffer zone. The site also abuts the Upper Derwent Valley Green Wedge. Watermeadows Ditch extends to the west of this boundary where it is south of Haslams Lane but it is not designated a Local Wildlife Site through this section. Many of the trees that extend alongside the site and the Watermeadows ditch are protected by a Tree Preservation Order.

An existing flood wall extends along this boundary. It is 216m long and extends to 1.5m high. Permission is sought to remove that wall and replace it with a new 216m long steel sheet pile flood wall up to 2.3m high and 0.54m wide. The sheet piles are proposed to have welded clutches and a steel capping beam. Works in this area are also proposed to involve the removal of an existing outfall structure and its replacement with a new headwall and surface water outfall structure at the southern end of the site. The headwall and outfall structure would have a fair face concrete finish. The works in this area will be undertaken on land in the ownership of the former Draka site which extends to include Watermeadows Ditch.

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Little Chester (North).

This work is proposed to be undertaken using the permitted development rights available to the Environment Agency under part 13 of the GPDO.

This part of the scheme relates to the Darley playing fields east on an area allocated as existing public open space in the CDLPR. The flood defence works proposed involve the construction of a new flood wall on top of the existing flood embankment. This section of the flood defence stretches alongside the eastern boundary of the playing fields, adjacent to the Alfreton Road industrial estate to the east. The flood wall is proposed to extend to 560m in length, 0.55m in width and 1.4m in height. The wall is proposed to be constructed on a continuous pile foundation of 9m depth and would be brick clad on both sides with a bullnose coping. It is proposed to be constructed along the western edge of the embankment to minimise, where possible, damage to trees which provide a screen between the playing fields and neighbouring industrial estate. A 2m wide gravel path is proposed along the top of the embankment, to allow access for maintenance of the wall but it is also indicated that it is expected to be used for recreational access also. The crest of the existing embankment would need to be widened by 1m to accommodate this. An access ramp with a 1 in 20 slope is proposed at the northern end of the embankment which would provide access into the playing field. The embankment and wall would be located within the Upper Derwent Valley green wedge and will impact upon Darley fields which accommodate playing fields. The proposals are also within the WHS and the southern half are within a designated archaeological alert area. Wildflower seeding is proposed on the western side of the bank. The existing 2.4m high boundary fence that divides the playing fields and the buildings on the neighbouring industrial estate is proposed to be retained.

Little Chester (Central).

Full planning permission is sought for these works which are proposed to be built as part of package 1. It should be noted that this part of the project has been subject to significant revision during the course of this application in response to comments received through public consultation.

This section of the planning application incorporates the southern section of Darley Playing Fields, along with the area surrounding the existing community centre, sports courts and bowling green and residential properties at Derwent House, Stone House Prebend along with those in Centurion Walk, Old Chester Road and City Road. Stand-alone flood defences are proposed to extend through the area extending from the south east corner of Darley Playing Fields, westwards, through the areas currently occupied by areas of car parking and sports pitches, across the access into the park before extending southwards alongside the western edges of the community centre, changing rooms and neighbouring listed buildings at Derwent House and Stone House Prebend before extending eastwards back towards City Road. The works in this area are predominately within the Upper Derwent Valley Green Wedge and are within the WHS and Little Chester Conservation Area.

Along the southern edge of the playing fields, the flood defence proposed in the application is a new flood embankment, running east to west. This embankment

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would extend to 250m in length, 3.2m in height and 22m wide across its footprint. It is proposed to have a 2m wide gravel path along its crest and is proposed to have 1 in 3 gradients along its side slopes. The path is proposed to ramp down at the western end and link into the main access route into the park. The embankment would have a continuous pile cut-off foundation of approximately 8m depth which would extend through its core and below existing ground levels. The embankment would extend to the north of dwellings in Centurion Walk and would extend through an existing area used as a compound that is enclosed by trees, an area used as car parking and an existing multi use games area (MUGA).

A new section of flood wall is proposed that would curve southwards from the new flood embankment and extend alongside the existing pedestrian and cycle route into the park. Ground levels would be raised and re-graded along the footpath to provide a 1:20 slope and flood gates would be erected across the existing access route into the park some 33m to the north of the community centre. These would be maintained in the open position except during times of flood and serve as an access point through the flood defences. The gates are proposed to extend to 1m in height and 4m in width. A new flood wall is then proposed to extend southwards from the flood gates and alongside the western boundary of the access route into the park. The wall would extend up to 2.5m in height but in places, this would extend up to 3.2m above some existing ground levels. On the riverward side of the wall, a 1 in 3 slope embankment is proposed. In this area it is indicated that ground water seepage cut-off is anticipated to require piles of between 8 and 9m.

The flood defence continues in the form of a wall and would extend to within 3.2m of the northern elevation of the community centre building. This section of the wall would extend up to 2.2m in height from the riverside of the defence and would project up to 1.3m in height when viewed from the community centre garden. The flood wall is proposed to extend along the crest of the existing flood embankment. The line of flood wall would then turn southwards some 12m to the west of the community centre linking to the line of the existing flood defences that extend to the west of the changing rooms and north of Derwent House.

This long section of flood wall continues southwards and to the north and west of Derwent House which is Grade II listed. It is a two storey dwelling that dates from the 16th or early 17th century. This dwellings existing northern garden boundary wall acts as the existing flood defence and the new wall would follow the same alignment in this location. The existing boundary wall of approximately 1m height would be demolished and replaced with a 2m high flood wall. The position of this wall would be some 3.5m from the northern wall of Derwent House. Extending westwards, the new flood wall is proposed to project some 8m beyond the boundary of Derwent House, along its northern edge. The alignment of the wall would then project southwards. The wall would continue to extend to 2m high and 0.55m wide in this location but given changes in ground levels, the wall height from the Derwent House side of the defences would extend to 1.6m. Concrete cloth covered gabion baskets that are located in this area and were put in place as a temporary flood defence are proposed to be removed as part of the work. The ground level would be profiled on

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the river side of the defence to provide a 0.5m high grass bank. Along its western edge, the submitted plans indicate that the flood wall would sit 9.6m from the western wall of Derwent House.

The new flood wall alongside Derwent House is proposed to continue southwards providing a continuous section of wall of approximately 100m length. The wall would continue to the west of Stone House Prebend which is a two storey dwelling with cellar that is Grade II* listed. This house dates from the late 16th century. The wall would extend some 11m from the western wall of Stone House Prebend and would continue to extend up to a height of 2m and have a width of 0.55m. The existing flood embankment that extends to the west of this property's boundary is proposed be removed as part of this work. A 1m high bank is proposed to be profiled on the river side of the wall. The wall would extend some 8-10m to the south of Stone House Prebend's southern boundary and the wall would curve in the south-west corner following the shape of the Roman fort. The flood defence would continue as a wall beyond the southern boundary of Stone House Prebend and alongside the northern boundary of Parkers Piece. The wall would sit at the southern (bottom) toe of the existing flood bank that is currently located in this area. This existing embankment is proposed to be removed. In this location, the flood wall, of 2m height and 0.55m width, would sit at the top of a 1.5m high bank when taken from the general land level in Parkers Piece. The Design and Access Statement indicates that this alignment has been determined from archaeological evaluation such that it will lie in between the fort rampart and the ditch along this side of the fort. An area of land in between the boundary of Stone House Prebend and the proposed flood wall would become enclosed by the new flood defences. It is indicated that consideration will be given to offering this land to the owners of Stone House Prebend on a long term lease arrangement. The properties existing boundary wall would be retained.

The flood wall proposed along the southern edge of Stone House Prebend is proposed to continue along the southern boundary of 102 City Road which is a two storey end terraced dwelling. This section of wall would provide a continuous defence of some 85m length along the northern boundary of Parkers Piece and it would project directly up to City Road. The flood defence would continue to extend to 3.5m above the ground level of Parkers Piece with the 2m high flood wall sitting on top of a 1.5m high bank. The wall would sit approximately 7m from the side wall and side garden boundary of 102 City Road and again, the area of land in between may be offered to the owners on a long term lease arrangement. Regardless of any lease arrangement, access into this area will be needed for inspection and maintenance of the new flood wall and the layout plans submitted show provision of an access ramp into the land at the side of 102 City Road from City Road. A gate is proposed to ensure that this area is secure and a gate is also proposed on the boundary with Stone House Prebend to ensure that access can be maintained into the whole of the land that is currently within the ownership of the City Council but would become enclosed by the proposed flood walls.

The flood wall is proposed to be clad and include mock piers. The cladding and coping details are proposed to be agreed by condition of planning permission.

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As a result of the alignment of the flood defences in this area changes are proposed to an existing compound, sports facilities, and car parking. The existing bowling green and pavilion would be removed and a replacement facility provided in the area that is currently used as the Park's department compound. The new bowling green and pavilion would sit some 15m to the west of dwellings in Centurion Walk and the new flood bank would extend to its north. It is proposed to be enclosed by a 1.2m high bow-top black metal fence. To the south of the flood embankment, other replacement sports facilities are proposed and they include 4 no. hard tennis courts and a floodlit multi use games area (MUGA). The flood embankment would sit to the north of those facilities and 3m high fencing would provide enclosure of them. The fence around the goals of the MUGA is proposed to extend up to 4m in height. All of the new sports facilities are proposed to be served by footpaths linking to the car park or main access route into the Park. Replacement cricket nets from Darley Playing Fields will be relocated to Parkers Piece. The planning application includes the reconfiguration of the car parking in this area. The existing car park in between the community centre and 110-118 Old Chester Road would be extended and would link to a smaller area of car parking to the east, which it is anticipated would serve the new bowling green. In total, 114 no spaces and 6 no. disabled persons spaces would be provided. Vehicular access into the car parks is proposed via Old Chester Road at the point where one of the existing car park accesses is located. The existing access for vehicles into the car park adjacent to the community centre would be removed. A new compound area is proposed adjacent to the car park and directly to the north of the boundary shared with residential properties at 110-118 Old Chester Road. The compound would extend across an area, 21m in width and 7.5m in depth. It is proposed to be enclosed by 3m high fencing and would be served via the new car park. The compound is used for the storage of sports equipment. Regional cycle route 66 follows a route along the path between the community centre and the existing tennis courts and this route would be unchanged by the works. National cycle route 54 which runs through the park and across the land to the north of the community centre and existing bowling green before linking to the riverside path, would be subject to minor changes to its alignment.

Information supporting the application indicates that the earthworks involved in this area would result in the removal of approximately 30 trees. A significant avenue of Lime trees extends alongside the main footpath into the park. As a result of the works outlined in this application, 3 of those trees would need to be removed. A beech hedge that extends around the existing Bowling Green would need to be removed along with a mature leylandii hedge which borders the existing compound area. Other trees that are located close to the working areas are indicted as needing protection measures to ensure that they can be retained in the long term. This includes removal of a number of trees alongside the existing flood embankment adjacent to Stone House Prebend. On the riverward side of the flood wall, it is proposed to form a small grass bank to reduce the visual height of the wall.

Archaeology of national significance extends through this area which is also an Archaeological Alert Area. Important archaeology includes Derventio Roman Fort which is a Scheduled Monument, Viscus which is a Roman civilian settlement

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associated with the fort that is not within the Scheduled Monument but is of national significance and Rykneld Street (Roman road.) The proposed flood defences require a ground water seepage cut-off which would be formed from steel sheet piles driven deep into the ground. A number of evaluation trenches have been dug to provide some understanding of the underlying archaeology and this has informed the alignment of the defences in this area. The defences have been designed to follow the alignment of the fort defences but not to over lie these features. Where the walls and bank do cross areas of important archaeology, those crossing are run, perpendicular to the feature as a means to minimise impacts and where possible, the alignment of existing flood defences have been followed as it is considered that archaeology under existing defences will already have been disturbed. The principles outlined in the Design and Access statement involve preserving archaeology in situ as a means to minimising any impacts upon it. None of the proposed parking areas or sports pitches, lie over the fort boundary. This archaeology has also informed the above ground landscaping, and ground level changes, including low level berms which are proposed to provide visual interpretation of the line of the monument. Those works are proposed to interpret the shape and line of the fort. The provision of any replacement tree planting has also been restricted in this area because of the potential impact tree roots may have on the underlying archaeology.

The conveyance corridor of the river would extend to the west of the proposed defences and ground levels are proposed to be reduced by 0.4m to improve this corridor in the area where the existing bowling green is located.

Little Chester (South).

Full planning permission is sought for these works which are proposed to be built as part of package 1.

Parkers Piece is open space and is a playing field containing a sports pitch. The area also forms part of the Upper Derwent Valley Green Wedge, is within the WHS buffer. The area is also within the Little Chester conservation area and an archaeological alert area.

Planning permission is sought for a new section of floodwall that would extend in a continuous line between 102 City Road and the City Road car park. This section of flood wall is proposed to extend to 135m in length, 2.2m in height and 0.55m in width. The wall would project up to 2.2m from the City Road side and 2.8m on the Parkers Piece side. A bank of 1m height is proposed to be formed against the wall on Parkers Piece. An existing 1m high flood wall extends alongside City Road currently and this is proposed to be removed. The new wall is proposed to be located approximately 1.5m closer to the river than the existing floodwall and this would result in the footway along City Road being widened from 2m to 3.5m. The top 0.9m of the flood wall is proposed to be formed from structural glass panels. Each panel is shown in the plans as extending to 2.5m in width and the proposals indicate lines of four glass panels in between a series of brick piers.

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Along the eastern boundary of Parkers Piece are a line of 12 silver maple trees and these would be removed as part of the works. Information supporting the application indicates that roots of the existing trees would prevent the construction of the groundwater seepage cut off so they would have to be removed even if the wall were constructed on the existing defence alignment. Replacement planting is proposed within an area of new raised ground on the City Road side of the wall and this is an amendment that has been secured during the lifetime of this planning application.

An access ramp in the south-east corner of Parkers Piece provides access to the open space from City Road and City Road car park. Access to this route would be removed by this section of flood wall and a new access is proposed as part of the City Road car park section of the works. Replacement cricket nets from Darley Playing Fields will be relocated to Parkers Piece. The Roman hypercause is located at the southern end of Parkers Piece which is a Scheduled Monument.

As the flood wall reaches the City Road car park, it would turn and extend westwards, along the northern edge of the car park. Here, a section of flood wall is proposed. Its height is proposed to extend up to 2m on the Parkers Piece side and 1.6m on the side of the car park. This wall would link up to a 33m long section of wall that is proposed to extend southwards through the centre of the car park. It would extend up to 1.6m in height. The south-west section of the car park, in between the new flood wall and the Handyside Bridge is proposed to be excavated. The area, extending to approximately 45m in length and 35m in width would be lowered by up to 1.6m. The submitted plans indicate that the lowered surface would be covered with topsoil and sown with wildflowers. Its finished ground level is indicated as being similar to those across the neighbouring Aida Bliss site and would be approximately 1.5m above the ground level of Parkers Piece.

The lowering of levels across part of the existing City Road car park is designed to improve the conveyance flows around Handyside Bridge. Without this, flood levels are indicated as being increased in upstream areas as a result of building the flood defences north of this location. The banks at either end of this area are proposed to be profiled and a 1 in 3 gradient provided at the western end to meet the existing ground levels on Handyside Bridge. The bridge is a former railway bridge and is grade II listed. It currently provides access for cyclists and pedestrians only. Cycle and pedestrian access is proposed to be maintained through this area and this includes National Cycle route 54 which exits Handyside Bridge and extends northwards, through Parkers Piece and along the river bank. A 70m long section of the existing car park would be retained at the eastern end and provision for a local cycle route and pedestrian routes from Handyside Bridge and through the defences to the car park and City Road are proposed. This involves the construction of a 55m long, 3m wide and 2m high access ramp that would extend along the northern edge of the car park. The ramp is proposed to have a gradient of 1 in 12 and rest areas are proposed to be provided at 7m intervals. It would incorporate a 37m long sloped retaining wall of 1m height. A handrail is to be provided along the top of the walls to ensure that a 1.1m vertical barrier is maintained against the car park and footpath ground levels. This is to avoid excessive drops alongside the access ramp. The

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local cycle route would be diverted to the proposed path and a shared footpath and cycle path is proposed to be created between the new ramped access and Handyside Bridge. Steps are proposed as part of the work to provide access over the flood wall, in the north-west corner of the car park and steps are also proposed to provide access down onto Parkers Piece. An 11m long and 3m wide track is also proposed to provide access for vehicles onto Parkers Piece for maintenance purposes. The flood wall is proposed to tie into the northern side of the Aida Bliss site and the existing pavement in the City Road car park which extends alongside the northern boundary of Aida Bliss would be removed to maximise the number of spaces available. The number of parking spaces within the car park would be reduced from its current provision of 132 no. spaces to 56 no. spaces with 3 allocated as disabled person's parking spaces.

Information supporting the application indicates that the construction of the flood wall and the lowering of ground levels in this area will mean that existing trees between Parkers Piece and the car park will need to be removed. The new area of open space created between the resulting car park and Handyside Bridge would be landscaped and the plans indicate the provision of replacement trees.

The proposed flood wall, retaining wall and access steps from the car park is proposed to be clad in a suitable brick. On the riverward side of the flood wall a bank will be formed at the bottom of the wall to reduce its visual height. The access steps down to Parkers Piece will be constructed from timber with stone infill.

Duke Street (North).

Full planning permission is being sought for this element of the works that are proposed to be delivered as part of package 1. The exception to this are the development sites as Bath Street Mills and Britannia Court for which only outline planning permission is being sought.

The site includes land on the west side of the river corridor between the Britannia Court development site and Handyside Bridge. The area includes the former Bath Street Mills development site. The northern part of the site up to and including the former Bath Street Mills is within the WHS with the remainder of the area in the buffer zone. Part of the area is within the Strutts Park Conservation Area. It forms part of the local riverside public open space network and wildlife corridor that links the Upper and Lower green wedges. The riverside path is part of the Derwent Valley Heritage Way and National Cycle Network Route 54.

Information supporting the planning application indicates that the proposed defences at Duke Street will reduce the risk of flooding to properties between the river and North Parade. The works generally involve the removal of existing defences and construction of new defences set back from the rivers edge.

Handyside Bridge sits at the northern end of this site, which is grade II listed and within the WHS. The National Cycle Network Route 54 extends over the Bridge. In between the bridge and the former Bath Street Mills, a 53m section of existing 1m high flood bank is proposed to be lowered to the level of the top of the riverbank. This is proposed to assist in maximising flood flows through the west bank arch of

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Handyside Bridge. A 3m wide combined footpath and cyclepath is proposed to be reinstated at the lower level along the same alignment as the existing footpath. Trees and vegetation are proposed to be removed to allow for the construction of a new flood bank up to 2.3m in height to the north of the former Bath Street Mills. The trees in this area are located within the Strutts Park conservation area and replacement planting is indicated as being provided on a 1: 1 ratio as close to the original as possible. The new defence proposed in this area is set back from the river as far as possible and the lowering of the existing bank maximises the space for flood water and the conveyance of water through the Bridge.

The works alongside Handyside Bridge would tie into the Bath Street Mills development site which has recently been subject to redevelopment for housing. This site has an integrated defence and the 3m high flood wall which is integrated has already been built. Although this hybrid application seeks outline planning permission as a means to establish a flood defence alignment and height across this site, it should be noted that this part of the works has already been delivered.

At the southern end of the former Bath Street Mills site, a new section of curved flood wall would tie into the new development. The flood wall proposed is 110m long, 0.55m wide and 2.7m high. An existing 137m flood embankment along the top of the riverbank would be removed as part of the works. The bank is proposed to be lowered to the level of the top of the river and a 3m wide footpath and cycle way would be reinstated at this level. On the dry side of the wall some areas of ground are proposed to be raised to provide a visual screen against the wall. A flood embankment up to 2.5m in height is proposed to incorporate a footpath and ramped access over the floodwall. Information provided with the application indicates that the path over the flood wall will be shaped to provide sufficient length to construct a ramp that is of a shallow enough gradient to be used by all. The curved floodwall is proposed to continue southwards, linking into the northern boundary of waterside house. The lowering of the existing flood embankment and the setting back of the new flood wall would maximise space for flood water.

It is indicated that 10 trees and 1 tree group require removal for the construction of the flood wall. Works will include removal of several large, well established trees including a notable category B1 (tree of moderate quality with mainly arboricultural qualities) hornbeam. Alongside the flood defence works, associated landscape improvement proposals include path widening and resurfacing and improved visual connection with the river through selective tree removal. Reinstatement tree planting is proposed and landscaping works are indicated as including new benches and an appropriate lighting scheme.

Waterside House is a building occupied by apartments. The existing flood wall alongside Waterside House sits adjacent to the river. Planning permission is sought for the removal of the existing 20m long and 1m high flood wall along with the removal of the existing 1.7m high boundary wall and balcony / patio at Waterside House. A new 24m section of floodwall is proposed to be built along the boundary of Waterside House, extending up to 2.3m height. The top 0.6m section of the defence will comprise structural glass panels. The remaining wall is proposed to be brick

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clad. The ground flood patio / balcony, is proposed to be reinstated. It is indicated that the increased width of the flood wall compared to the existing balcony wall will be accommodated on the footpath side ensuring that the existing balcony size is maintained. A 1.1m high metal railing is proposed to be accommodated alongside the riverbank to protect against falls given the steepness of the bank. Information supporting the application indicates that Waterside House is a pinch point with higher flood defences, sight lines and footpaths widths have been maximised in the design to improve natural surveillance and a sense of public safety.

The floodwall proposed along the boundary of Waterside House is proposed to continue along the rear and side boundary of the Furnace Inn which is a Public House with a beer garden at its rear. The 1.1m high existing floodwall that continues to extend alongside the river in this area is again, proposed to be removed. The floodwall proposed along the boundary of the pub would extend to the same 2.3m height of the wall proposed alongside Waterside House. Again, the top 0.6m section along the eastern boundary is proposed to comprise structural glass panels. This would involve removal of existing sections of fencing and wall which currently provide a boundary to the pub. An existing access gate which provides access between the beer garden and riverside path is not proposed to be reinstated as part of the works. The combined footpath and cycleway would be reinstated to a width of 4m in this area and an existing boat slipway into the river behind the pub is proposed to be removed and in filled with mass concrete to accommodate the widened footpath. Lighting is proposed to be reinstated along the footpath and a fence would be incorporated along the river edge, in this location. Information supporting the application indicates that the proposed wall would be constructed on the edge of the Council owned land in this area to ensure that there is no loss of footprint within the pubs beer garden.

At the southern boundary of the Furnace Inn public house, the flood defences are proposed to link to new defences within the Britannia Court Development Site. This site currently stands vacant. As a development site, only outline planning permission is sought for this element of the works with a defence alignment and height being the subject of approval in this application. The former residential development on the site was demolished by the Council who are the land owners and such works were in accordance with the aspirations of the OCOR masterplan. This scheme promotes the site for redevelopment and the aim is for an integrated defence to be secured as part of a wider redevelopment proposal for the site. A 60m long defence of 2.8m height is proposed to extend across the site, north to south. The defence is proposed to run parallel to Duke Street, linking in to the rear garden wall of 45 Duke Street to the south. The line of the defence is proposed to sit some 25m back from Duke Street and is set back away from the river to maximise space for flood water.

Duke Street (South) and Sowter Road.

Full planning permission is sought for this element of the works which is proposed to be delivered as part of package 1.

This area includes land between the Britannia Court development site to the north (outlined in the Duke Street (North) proposals above) and St Mary's Bridge. It also

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includes the open space to the north of the Silk Mill, adjacent to Causey Bridge and Christchurch Court. The areas to the north and south of Causey Bridge are in use as open amenity space and form part of the WHS, Archaeological Alert Area and Wildlife Corridor that links the Upper and Lower Derwent Valley Green Wedges. There are a number of listed buildings in this area which include the St Mary's Chapel which is grade I listed, Chapel House which is grade II listed, the Silk Mill which is grade II listed and St Mary's Bridge which is also grade II listed and a Scheduled Ancient Monument.

At the northern end of the site, the flood defences are proposed to extend from the Britannia Court development site and link into the rear garden boundaries of 37 – 45 Duke Street which are residential properties. This area of the site is within the WHS buffer zone. Existing gabion basket flood defences are proposed to be removed which extend 25m alongside the riverside footpath and cycleway. A wall and fence on the river side of the path is also proposed to be removed along with the boundary fences to the rear of 37-45 Duke Street which is the boundary treatment that separates the gardens of those dwellings from the adjacent open space. Full planning permission is sought for the erection of a 50m long section of flood wall up to 2.4m in height and 0.55m in width with piled foundations along the rear boundary of those dwellings. Information supporting the application indicates that the increased width of the flood wall will be accommodated on the open space such that there is no loss within the footprint of the gardens. Reinstatement of private gardens will be undertaken on a like-for-like replacement. A 0.6m high and 2.5m wide structural glass panel is proposed to be set within the flood wall where it extends along the southern boundary of 39 Duke Street. All existing garden access gates are proposed to be removed and not reinstated. On the land to the rear of those properties and on the riverward side of the defences, a 40m section of the footpath / cycleway is proposed to be reinstated and widened to 3m. It is indicated that 10 no. trees require removal for this section of the works. The proposed flood wall is to be clad in brick along its full length and height with mock piers and brick coping.

To the south of 37-45 Duke Street further works involve the removal of 90m of existing flood embankment with ground levels lowered by up to 1m between Duke Street and the riverside path. A 70m long section of floodwall is proposed in this area, up to 2.1m in height and 0.55m in width. The wall would curve to the west as it extends southwards and adjoin Duke Street. The existing flood bank would be lowered so that the ground profile is a constant slope between the footway on Duke Street and the riverside path. Footpaths are to be reinstated and a 180m length of footpath is proposed of 3m width. The flood wall is proposed to be clad in brick with a stone coping to match the material of St Mary's Bridge. Ground levels adjacent to the wall are proposed to be graded to minimise the visual height of the wall.

The lowering of the existing bank is designed to allow floodwaters to bypass St Mary's Bridge, which currently acts as a throttle to flood flows, via Sowter Road, through the St Alkmunds Way underpass and back into the river by the Silk Mill. This flood relief route is indicated as operating during events exceeding a 3.3% (1 in 30) chance of occurrence in any given year. This means that the risk of the bank being

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overtopped will increase. If this bank is not lowered then flood defence levels on both sides of the river would increase resulting in higher defences. It is indicated that all properties will still have a higher level of flood protection than they do at the moment. It is only the highway that will be at an increased risk of flooding.

21 trees and a tree group are identified for removal as part of this area of the works and include some well-established trees identified under category B2 in the tree survey which is a tree of moderate quality. The works also include the removal of two are memorial trees. The first is a memorial to Olga Nahlak who lived in Derby between 1965 and 1997 and who is remembered for her courage in the face of death, saving victims of Nazi persecution in Ukraine. The second is Anne Frank's tree to commemorate Anne Frank and all the other children killed in wars and conflicts this century. The Olga Nahlak memorial tree is a semi-mature horse chestnut that is identified in the tree survey as being in a poor condition. Anne Frank's tree is a horse chestnut and within a group of other trees. It is indicated that it is not possible to undertake lowering works while retaining these trees and they are too large to guarantee survival should they be potted and replanted on completion of the works. Instead, replacement trees of the same species and size are proposed to be constructed following construction. The precise location of the replacement trees is to be agreed with the Derby's Holocaust Memorial Day Working Group and it is understood that those discussions are on-going. Further reinstatement tree planting is proposed to be undertaken on a 1:1 ratio, as close to the original positions as possible. Landscaping works in this area are identified as incorporating bulb planting, new benches and an appropriate lighting scheme.

At the southern end of Duke Street, the flood defence works are proposed to extend across the highway. Localised road raising of 0.4m is proposed and provision made for a temporary demountable flood defence across Duke Street. The proposed temporary defence would extend to 13.8m in length and 1.9m in height and would extend across both the road and footways. A concrete foundation would need to be installed to support the defence. A temporary defence is required as it is indicated that there is insufficient space to raise the highway over the flood defence. Flood gates are not considered appropriate in this area due to the size of the gates that would be required and the need for a central highway pier that would obstruct larger vehicles. The area where the level of the road is proposed to be raised is located between the junction of Duke Street and Sowter Road and 14 Duke Street. The entrance to St Mary's Court which is a private access road would also need to be re-profiled to match the Duke Street levels. The road raising is required to reduce the frequency of required operation of the demountable defence and resulting temporary road closure. It will also avoid flood water collecting behind the temporary defence as it would otherwise be at the bottom of a slope.

The installation of the demountable defence is indicated as being deployed during a flood event with a 3.3% (1 in 30) chance of occurring each year. At such times, Duke Street, Sowter Road and St Mary's Bridge would be closed to through traffic. It is indicated that appropriate diversions would be put in place at such times.

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A new section of flood wall is proposed to be constructed to the front of the properties at St Mary's Court. The 50m long wall is proposed to extend up to 1.6m high and 0.55m wide. It would extend across the top edge of the grass bank along the Sowter Road footway. The wall is proposed to be brick clad with the top 0.6m of the defence formed from structural glass panels. Works in this area are also proposed to include raising the level of an existing 5m long footpath between St Marys Court and St Alkmunds Way by up to 0.4m and re-profile with a 1 in 12 slope and the installation of a 2m wide by 1.3m high metal flood gate across the existing footpath which would normally be locked in the open position. The flood wall is proposed to extend uphill in between St Mary's Court and St Alkmunds Way where it would meet higher ground. This is the point at which the flood gate would extend across the footpath.

Information supporting the application indicates that a flood event with a 3% (1 in 35) chance of occurrence each year will result in the closure of the flood gate across the footpath. Alternative access to St Mary's Church to Duke Street is available via Handyside Street.

The information supporting the application indicates that 4 trees, 1 tree group and a 10m section of existing hedge along the footpath require removal for this section of the works. Reinstatement tree planting is proposed on a 1:1 basis and landscaping proposals are indicated as including low level planting between the Sowter Road footway and the proposed flood wall. The submitted plans show that a close boarded timber fence and gate will be erected between the proposed flood wall by the Duke Street crossing and St Mary's Court.

The flood defences further south on Sowter Road are proposed to be located between St Alkmunds Way and the Silk Mill. These works will reduce flood risk to Christchurch Court which is managed residential accommodation for the over 60's and over 40's with a disability. The works in this location will also flood water coming down Sowter Road to re-enter the river channel and ensure the continued operation of the Sowter Road highway drainage pumping station.

Christchurch Court is in the WHS buffer zone. Full planning permission is sought for the construction of a new 65m long flood wall up to 2.35m high and 0.55m wide with piled foundations. It should be noted that the wall height directly in front of Christchurch Court would range between 0.95m and 1.65m in height. The wall would extend along the boundary of Christchurch Court and the footway along Sowter Road tying into Causey Bridge to the north and high ground along St Michaels Way to the south. The flood wall is indicated as being brick clad and will incorporate mock piers and coping to match Christchurch Court. The wall is proposed to include the provision of a 3m wide flood gate which will maintain access to the Sowter Road highway drainage pumping station. It would be maintained in the closed position and only opened when access to the pumping station is required. A set of access steps are proposed to be provided from St Alkmunds Way, to the pumping station to enable access to be maintained in times of flood.

It is known that Sowter Road was constructed over the Silk Mill Leat (an artificial watercourse dug into the ground which supplied water to the Silk Mill) with a

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protective concrete slab to preserve it in-situ. The exact location of the leat is indicated as unclear at the present time but the foundation design for the wall would need to be finalised once its location has been established along with the precise location of high voltage power cables which extend from the silk mill substation.

On the opposite side of Sowter Road and to the north of the Silk Mill works proposed involve the lowering of the existing embankment by up to 1.6m. This area of existing flood bank is proposed to be lowered to allow flood water from Sowter Road to flow back into the River Derwent. This part of the site is within the WHS and the Silk Mill leat extends beneath it. The Silk Mill is grade II listed.

It is indicated that 14 no. trees will require removal for the works adjacent to the Silk Mill and around Christchurch Court. Reinstatement tree planting is proposed on a 1:1 ratio as close to the original positions as possible and landscaping works are proposed to be developed as part of the detailed design. It is indicated that this will include new benches and wildflower seating and that there is the opportunity for wetland habitat creation works in this area.

Aida Bliss.

This element of the works seeks outline planning permission and is proposed to be delivered as part of package 1. The site is identified in the planning application as a development site.

The site of Aida Bliss is an existing industrial site, allocated as existing employment land in the CDLPR. The site is located in the Little Chester Conservation Area, on City Road. The City Road car park sits to its north and Etruria Gardens extends to its south. The site is vacant at present but it continues to accommodate a group of industrial units. The façade of existing industrial buildings that occupy the site provides a prominent frontage to City Road, and the City Road car park to the north, with an attractive curve in the north east corner. This façade forms a backdrop to Chester Green and contributes positively to the character of the Little Chester Conservation Area of which it is a part. The site is also within the WHS buffer zone and the riverside area of the site abuts the WHS as well as the Wildlife Corridor that links the Upper and Lower Derwent Green Wedges.

An existing flood wall extends across the site, along the river's edge. This is proposed to be removed and outline planning permission is sought for the provision of a 130m long flood defence up to 2.85m in height across the site, extending north-south. The alignment of the flood defence would tie into the North West corner of the Victorian façade of the building facing the City Road car park and follows an angled alignment that would create a 40m wide flood conveyance corridor around Handyside Bridge. The flood defence is then proposed to tie into the boundary of Etruria Gardens at a point 10m to the west of the boundary of 80 Etruria Gardens. This alignment would require the industrial units on the site to be demolished to make space for flood water. Demolition is indicated as excluding the façade of the building which fronts onto City Road and faces Chester Green, including its northern elevation which faces City Road car park. Details of access, external appearance and landscaping are reserved for future approval but it is indicated that the land on the

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riverward side of the defences would need to be kept open such that it serves as functional floodplain.

The site is identified as a development site in the planning application and it is proposed that the flood defences across the site will be delivered as an integral part of its redevelopment. The 2.85m height of the defence takes account of climate change and in the event that the defence does come forward as part of a wider redevelopment of the Aida Bliss site, it is unlikely that its height could be raised in the future, within the design life of the development.

Together with the defences along the east bank of the river, the Aida Bliss defences will assist in reducing flood risk to the community of Little Chester. The aim for the OCOR defences on this site is also to increase the conveyance of flood water around Handyside Bridge to minimise the increase in flood levels during severe flood events at Darley Abbey. Information supporting the application indicates that the need for such an alignment of defence has been balanced against the need for the redevelopment of the site.

A group of trees extending to the north and west of the site and adjacent to the river are identified for removal as part of the works. The proposals across the Aida Bliss site are identified as having the potential to deliver environmental enhancements as it is indicated that the creation of new wetland habitat is a possibility within the flood conveyance corridor and this would provide an opportunity to contribute to the delivery of Water Framework Directive mitigation measures.

Etruria Gardens.

Full planning permission is sought for these works which are proposed to be built as part of package 1.

Etruria Gardens is a small group of flats and houses that are accessed off City Road. They occupy land that extends between City Road and the river. The site is located in the Little Chester Conservation Area and is also within the buffer zone of the Derwent Valley Mills World Heritage Site. The site of Aida Bliss sits to the north of the site and to the south are the lower City Road development sites.

An existing flood wall of 1.2m height extends along the riverbank, for a length of 125m, to the west of the Etruria Gardens properties. Planning permission is sought for the removal of that exiting flood wall. Planning permission is sought for the erection of a new flood wall of 2.4m height. It would also extend to 125m in length and is proposed to incorporate a brick clad wall with the top 0.5m of the defence formed from structural glass panels which would be separated by a series of pillars that would form part of the design. The new wall would sit to the east of the existing wall and closer to the residential properties, leaving a greater area of riverbank on the wet side of the new defence. The setting back of the defence from the river edge is intended to meet the projects wider objective of making more space for water. Information submitted with the application indicates that the wall is proposed to be set back from the top of the riverbank by 5m and at the northern and southern ends, the wall would be sited some 10m to the west of the nearest properties in Etruria Gardens. No access is proposed to be provided over the flood wall and 2m high

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security fences are proposed on the riverside of the defences at the northern and southern ends of Etruria Gardens. 2.5m wide security gates are proposed within the fences which would provide access for inspection and maintenance of the flood wall. The flood wall would include piled foundations with a groundwater seepage cut-off extending to approximately 7m depth. A 1m wide paved surface is proposed to be provided on the east side of the flood wall and on the riverward side a 0.3m wide concrete strip is proposed and these are proposed to provide a mow strip. The flood wall is proposed to tie into the defences on the Aida Bliss site at the northern end and into the defences proposed on the City Road development sites to the south.

The Design and Access Statement indicates that 26 trees will require removal as part of the works but where possible, significant trees that form a visual screen will be retained. The submitted plans indicate the provision of some replacement tree planting. All grassed areas are proposed to be reinstated and the submitted information indicates that wildflower seeding will be provided to enhance the ecological value of the area.

Lower City Road.

Outline planning permission is sought for works across land across the southern part of City Road which is identified in the planning application submission as the Lower City Road development site. These works form part of package 1.

The area included in the Lower City Road development site includes, the City Road Business Centre and former Tomlinsons Yard which is in private ownership. This area of the site contains a number of derelict industrial buildings of two and three storey height. Within the development site is also an area of car parking and former hygiene centre which is owned by the City Council and a small group of three private business units at 2 City Road that are also in private ownership. In total, the site extends to some **m in width and **m in length. The site sits at the edge of the Little Chester Conservation Area and is within the World Heritage Site buffer zone. It is also within an archaeological alert area.

Flood defences that are outlined as being accommodated within the Lower City Road development site would extend between Etruria Gardens to the north and the Bridge Inn Public house and car park to the south. Existing flood defences along this stretch of the river were subject to emergency works in 2012 and the existing defences comprise flood walls of 1.5m height along with defences that are built into existing buildings. The aim of the Our City Our River project on this site is outlined as increasing the conveyance of flood water through the City whilst providing a new defence that balances the need for the redevelopment of the site. Outline planning permission is sought for the construction of a 186m long defence extending across the site, north to south that would extend up to 2.8m in height. The defence is proposed to have a piled foundation and a seepage cut-off. The layout of the flood defence would not follow that exact line of the existing defences across this group of sites as the proposed alignment seeks to maintain a minimum 8m easement from the natural river bank top. The alignment therefore cuts through existing buildings on the former Tomlinson's site and through the footprint of unit C at 2 City Road which is

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currently occupied and used as a café. This application therefore seeks permission for the demolition of those buildings to allow the flood defences to be accommodated.

Potential environmental enhancements highlighted for the Lower City Road development site include the re-profiling of the riverbank and marginal planting to enhance the ecological value of the riverside habitat.

The Council will pursue the delivery of the defences across this site as an integral part of new development on the site. Outline approval seeks to establish a scale of flood defence of 2.8m height and this height allows for climate change because if the defences are delivered as integral to future development on the site, it is unlikely that they could be raised within the design life of that development.

It is hoped that this will ensure that the defences are incorporated into a new urban landscape without forming a barrier between the local community and the river.

St. Mary's Bridge.

Full planning permission is sought for this element of the works that are proposed to be undertaken as part of the package 1 works.

This element of the defences extends between the Lower City Road development sites and St Mary's Bridge and they extend along the eastern bank of the river. The bridge is grade II* listed, a Scheduled Ancient Monument and forms part of the public highway. To the north of the bridge is the site of the Bridge Inn Public House which is a locally listed building. An existing flood wall extends across this area, alongside the riverbank and alongside the site of the Public House and its car park. The existing defence across this area extends to some 86m in length and the existing 1m high wall is proposed to be removed and replaced with a new flood defence. A 70m stretch of the flood defence, extending directly north of St Marys Bridge would comprise a brick clad flood wall of 1.3m height, with the top of the defence formed by a 0.9m structural glass panel. The 0.9m dimension includes the frame which would support the structural glass. Each panel of glass is proposed to extend to a width of 2.5m. The remaining 16m stretch would comprise a brick clad flood wall with stone coping of 2.2m height. The new flood wall is proposed to be constructed along the same line as the existing flood wall. The flood wall is proposed to have a piled foundation of approximately 8m depth. It is indicated in the Design and Access statement that sheet piling will terminate as close to the bridge as possible to limit the risk of damage to the bridges sub-structure and seepage cut-off will be maintained using grout / mass concrete. It is not proposed to be bonded to the bridge sub-structure.

Within the proposed flood wall, a 1.5m wide and 1.9m high flood gate is proposed to be inserted to provide access to an established beer garden which it is indicated is a key attraction for the pub. Information supporting the application indicates that the gate would need to be closed during a flood event with a 3% (1 in 35) chance of happening each year. The flood gate is positioned to be parallel to the direction of the flow to the river. The beer garden is proposed to be reinstated where it is disturbed as part of the construction works.

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The submitted plans indicate that a number of existing trees which extend alongside the river would need to be removed and this would be needed to provide a 7m clear construction zone either side of the defences. Information in the Design and Access statement indicates that 9 no. trees and half a riverside tree group will require removal. A significant sycamore tree that extends in between The Bridge Inn public house and the river, would be retained. Wildflower seeding is proposed on the wet side of the defences along with replacement tree planting on a 1:1 ratio and as close to the original positions as possible.

A gauging station that is owned by the Environment Agency sits adjacent to the river and to the north of 2C City Road. Above ground, it appears as a small, flat roof, brick building and the equipment within it monitors river levels and is used for flood warning purposes. Full planning permission is sought for the demolition of the gauging house and the construction of a new gauge house. It is proposed to be located on the eastern side of the flood wall (the dry side) Approx. **m to the east of its current location. It would be located within the City Road development site. The new gauge house is proposed to be constructed of brick and would extend to 3m in width, 3m in depth and 3.5m in height. Further works associated with this structure involve the provision of associated ducting, cabling and access steps to enable access to be maintained over the new flood wall. An existing stilling well (a cylinder shaped cage installed within a tank to protect level instrumentation) is proposed to be extended. This work is proposed to move the gauging station out of the flood conveyance corridor.

The site of the proposed works is in the World Heritage Site buffer zone and forms part of the wildlife corridor linking the Upper and Lower Derwent Valley Green Wedges.

Physical works proposed to the St Marys Bridge would include repairs to the existing scour protection and bridge masonry. Scour protection is proposed to be established to protect its piers and this will comprise a combination of concrete bags and rock armour placed on the channel bed adjacent to the bridge piers and abutments. This will not require any modification to the bridge and is indicated as not being visible unless at unusually low river levels. Information supporting the application indicates that the works associated with this project will increase flood levels and water velocities on and around the bridge. These works are proposed to ensure that the bridge remains structurally sound in such flood conditions. Scour protection works do not require planning permission so although they form part of the project works, further consideration of them is not necessary as part of this application.

As part of the package 1 works, 3 non-return valves are proposed to be installed in existing surface water drains. They are needed to mitigate a risk, following completion of the package 1 works, of flood water from North Riverside backing up the surface water drains and leading to flooding of low lying areas of Little Chester. The three valves are proposed to be installed in the Severn Trent Water Sewerage System in the Mansfield Road area. These mitigation works are detailed in the application, but they do not require planning permission.

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Full Street and Exeter Bridge.

Outline and full planning permission is sought for this element of the works which are proposed to be delivered as part of package 2.

The proposed defences at Full Street extend between the high ground of Cathedral Green and Derwent Street. Flood defences are being delivered at the former Police Station site and former Magistrates Court as part of other redevelopment schemes which already have planning permission. Although these defences are close to completion, they remain in this application with outline permission being sought as they remain an integral part of the scheme.

The riverside path in this area forms part of the Derwent Valley Heritage Way and National Cycle Network Route 54. The Magistrates Court is a grade II listed building.

At the former police station site the works involve construction of a 135m long flood wall that would extend to some 2m above the current level of the riverside path. The planning permission for the development of the site has been implemented and the flood wall is integrated into the development so that an active frontage is provided to the riverside. As part of this redevelopment, an existing flood wall was removed.

At the Former Magistrates Court, the existing flood wall is proposed to be removed and a 50m long section of the existing building is to be adopted as a flood defence. The flood defence level extends up to the sill level of the ground floor windows. Such measures are outlined in the planning permission that was granted for the redevelopment of this site into offices, Local Studies Library and café. It is indicated that the specified flood defence level that has been accommodated within the building will provide resilience against a 1 in 100 annual chance flood event but without an allowance for predicted climate change. The planning permission that was granted for the works indicated that options are available to raise the defences in the future and the Council, as landowners, will be responsible for installing such measures.

Full planning permission is sought for the works at Exeter Bridge. The defences here would extend between and connect to the former Magistrates Court and the Council House on the west side of the river.

Derwent Street extends over Exeter Bridge and it is considered to be an important local highway route in the City Centre. National cycle Network Route 54 follows a route along the bank of the river north of Exeter Bridge. It crosses and follows Derwent Street down to Corporation Street. The Derwent Valley Way follows a route along the riverside footpath either side of Exeter Bridge. These routes cross Derwent Street as there is no path under the bridge. National cycle Network Route 6 crosses Exeter Bridge from the riverside path on the east side of the river and connects with Route 54 on the west side of Exeter Bridge.

The former Magistrates Court is a grade II listed building and the Council House is locally listed. The riverside walk along the river in between the Silk Mill and Exeter Bridge is within the UNESCO monitored view of the WHS.

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The scale of the works proposed at Exeter Bridge involves the raising of the highway by up to 0.3m, the provision of 5 floodgates with their associated piers and piled foundations and the construction of two new sections of flood wall. A 25m long section of wall of 1.6m height is proposed to connect the piers and gates to the former Magistrates Court building. A 5m long section of wall of 1.1m height is proposed to connect the piers and gates to the Council House. The flood gates are proposed to comprise two single leaf gates across the footways, each 0.6m high, one at 3.95m wide and the other 3.9m wide. One double leaf gate across the carriageway, of 11.75m width and 0.6m high is also proposed. A single leaf gate is also proposed to provide access to the pedestrian ramp and river frontage by the former Magistrates Court. This is proposed to extend to 2.5m wide and 0.6m high. A demountable support pillar that would be positioned in the centre of the carriageway when the gates are closed is proposed to be stored within a recess behind the open flood gates. Piers are proposed to be located on either side of the highway which is also proposed to be reduced in width as part of the works. Planning permission is also sought for additional associated measures to improve safety, comprising widening of the footways across the bridge to approximately 5m and provision of a new pedestrian and cycle refuge on the riverward side of the proposed flood gates. The widening of the footways is indicated as providing shared use for pedestrians and cyclists.

It is indicated that the flood gates would normally be held in the open position and would be recessed into the proposed piers so as not to protrude into the highway or footway. The piers and the flood walls will be stone clad and their design is proposed to take cues from existing stone work on Exeter Bridge. The footways and paths are proposed to be reinstated with Yorkstone paving to compliment recent works undertaken.

As part of the works in this area, an access ramp is proposed to be created between Derwent Street and the riverside path heading north to improve accessibility for all compared to the existing stepped-only access. The new ramp will require a minor diversion of National Cycle Route 54. The new pedestrian and cycle refuge proposed to be created to improve safety will also form a minor diversion of National Cycle Network Route 6 from the north side of Exeter Bridge to the south side of the Bridge.

Information supporting the planning application indicates that a food event with a 1.3% (1 in 75) chance of occurrence each year would result in the closure of the flood gates across Derwent Street. At such times, Derwent Street and Exeter Bridge would be closed to through traffic. It is indicated that alternative access routes with signed diversions would be put in place during such an event. The riverside path would be closed during less severe events as is the case now. The raising of the road level is indicated as being required to reduce the frequency of operation of the flood gates.. Flood gates are required as there is insufficient space to raise the highway over the flood defence. Flood gates are proposed rather than a temporary defence due to the required size of the gates and need for a central highway pier that

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would obstruct larger vehicles. Piers are required to ensure the flood gates are kept small enough to be operated manually.

Riverside Gardens.

Outline planning permission is being sought for this element of the works which are proposed to be delivered as part of package 2.

The proposed defences at riverside gardens extend between Exeter Bridge and Holmes Bridge on the west bank of the river. This is identified as the civic heart of the city with both the Council House and Crown Courts adjacent to the river.

The riverside façade of the Council House will form the proposed flood defence in this section. Flood resilience measures were incorporated into the building as part of the Council House redevelopment.

The riverside gardens form an important part of the civic heart of the City and they stand adjacent to the Council House which is a locally listed building. Outline planning permission is sought for the construction of a 140m long terraced embankment up to 1.9m in height. This is proposed to consist of a series of 0.4m high walls giving the embankment a stepped profile. Outline permission is also sought for the continuation of the stepped embankment along the riverward face of the Riverlights development site for a further 100m to tie in with Holmes Bridge. It should be noted that this section would not form a flood defence. The extent of flood defence would extend between the south-east corner of the Council House and the north-west corner of the Riverlights development site. It is indicated that defences in this area have been designed to take full account of predicted climate change for the remainder of this century. Permission is also sought for the construction of some 260m of new 3m wide paths to provide ramped access over the stepped embankment.

Information provided in the application indicates that the stepped concrete walls will be Yorkstone clad. Paths are proposed to be finished in a resin bonded gravel. New lighting columns are proposed to be installed and 11 existing trees will require removal for the work to be undertaken. Replacement tree and shrub planting is proposed along with grass seeding.

The culverted Markeaton Brook extends under the site of the Riverlights development site. In this area, outline planning permission is sought for a 100m long defence up to 1.3m high above the existing path level. This would extend along the northern edge of the development site and a ramped access from the riverside path and into the development site is proposed as part of the works. It is indicated that the flood defence here will be integrated into the redevelopment of the site and form a continuation of the style of the riverside gardens to provide an active frontage facing the river.

North Riverside.

Outline planning permission is sought for this element of the works that are proposed to be delivered as part of package 2.

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The proposed development at North Riverside extends between Causey Bridge and Holmes Bridge on the east bank of the river. The existing flood defence in this area is formed by a flood bank on the edge of the river between Stuart Street buildings from Causey Bridge to Exeter Bridge. A further flood bank extends downstream of Exeter Bridge before it turns into a flood wall alongside the elevated footway on Meadow Road tying into Holmes Bridge. St Alkmunds Way is elevated and provides the east and northern boundary to the North Riverside area. The Darwin Place interchange is a key strategic route to the A52 taking traffic out of the City and to the east. The regeneration potential of this area has long been recognised and development has been delivered on an ad hoc basis. Attempts to define an overarching vision that can be delivered has been frustrated by a number of constraints including its location in a high flood risk area. The OCOR project aims to unlock this potential and support the creation of a high quality and substantial mixed use City Quarter that maximises the potential offered by its waterside location whilst also providing critical flood defence measures for properties to the east and the City's transport infrastructure.

Exeter Bridge is a significant constriction to the conveyance of flood water as the bridge sits within the river channel. In a flood event water would flow over and around the bridge.

The works in this area involve the provision of new flood defences set back from the river and creating a flood conveyance corridor to allow flood water to flow around Exeter Bridge. Creation of the flood conveyance corridor will require the demolition of some building and alterations to highway layouts. The works will be delivered through a combination of sections of stand along flood defences and highway alterations delivered by the Council and third parties providing integrated flood defences as part of identified development sites in this area at Pheonix Street and Bio House.

Only outline planning permission is sought in this area for the flood defence and flood conveyance corridor with matters of scale and layout being the subject of approval. Details relative to access, landscaping and external appearance are reserved for future approval. As is the intention with the other development sites, the Council will consider using compulsory purchase powers to acquire land within the development sites to secure delivery of development proposals with integrated defences if such proposals do not come forward within an appropriate timescale.

Part of the works involves provision of a new conveyance corridor along Stuart Street. The scale of works proposed involves removal of the existing 2.5m high flood embankment to the north of the Derby Riverside apartments. The existing substation in this area would need to be relocated to higher grounds, outside the flood conveyance corridor. The Derbyshire Housing Aid building on Stuart Street and Crompton House on Derwent Street are proposed to be demolished. Crompton House is currently occupied by the Natwest bank and is a locally listed building. Stuart Street is proposed to be realigned and widened to 9m to accommodate two-way traffic with a new 2m wide footway on its eastern side. The works outlined also include provision of a new access bridge up to 5.1m above existing road levels to

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provide safe emergency access during flood conditions. It would need to be located at second flood level to ensure that there is enough headroom for buses to pass underneath. It will need to provide access to safe ground so is proposed to connect to the footway along St Alkmunds Way. New flood gates are proposed across the northern end of Phoenix Street at the St Alkmunds Way / Causey Bridge underpass. The gates are proposed to extend up to 4.2m in height and 8m in width spanning across the full width of the underpass. They would be maintained in an open position and only closed at the onset of a flood with a 4% (1 in 25) annual chance of occurrence or greater. The flood gates are indicated as preventing flood flows backing up through the St Alkmunds Way / Causey Bridge underpass and flooding the area around Landau Forte College. Flood resilience measures are proposed to be provided to commercial properties along Stuart Street.

The conveyance corridor starts between St Alkmunds Way and the Riverside apartments. It continues along the eastern side of the Stuart Street riverside apartments and the Phoenix Street development site up to Derwent Street before continuing through the Exeter Place and Exeter Street area. The existing path between Phoenix Street and the river is proposed to be reinstated with shallower gradients. Phoenix Street would be closed to through traffic but Stuart Street would be open for two way traffic. The junction between Stuart Street and Derwent Street is proposed to be widened to accommodate additional turning traffic. There would be a loss of on street parking in Stuart Street. A transport assessment has been submitted with the application which has informed the design of the highway layout.

A flood event with a 4% (1 in 25) chance of occurrence each year will result in the flooding of Phoenix Street and Stuart Street compared to an existing 2% (1 in 50) chance. At such times Stuart Street will be closed (along with Derwent Street, Exeter Street and Meadow Road). Access to Riverside apartments would be via the proposed emergency access bridge and there would be no access to the commercial properties on Stuart Street. It is indicated that residents and business owners would be encouraged to sign up to receive flood warnings. The flood conveyance area would need to be maintained as open without restriction to flood flows and is likely to take the form of public open space with tree planting and areas of planting.

The location of the flood conveyance corridor through this area is consistent with that described in the OCOR Masterplan although its width has been reduced to maximise the development potential of the Phoenix Street development site.

Outline planning permission is sought for new flood defences as part of the Phoenix Street development site. A 160m long flood defence with piled foundations and a groundwater seepage cut-off up to 2.2m in height is proposed. The flood defence would be located along the north west boundary of the Phoenix Street car park tying into St Alkmunds Way, across Phoenix Street at its junction with Stuart Street, along the edge of a 12m length of the realigned Stuart Street and through the former Greenwood Court site, Derbyshire Housing Aid and Crompton House at an off-set distance of 20m from the back of the footway along Phoenix Street. Access to the Phoenix Street development site and the Derbyshire Army Cadet Force building

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which is locally listed would be retained along Phoenix Street which would become a cul-de-sac.

Derwent Street is an important local highway providing access to the City Centre. The scale of works proposed here involves localised road raising by up to 0.3m and the provision of a 21m long and 1.1m high demountable defence across the road and footways in Derwent Street. A concrete foundation is proposed to be installed to support the demountable defence and it would accommodate piled foundations and a groundwater seepage cut-off. This defence would tie into the proposed defences at the Phoenix Street and Bio House development sites. The road raising is proposed to extend along Derwent Street between Stuart Street and Phoenix Street.

A flood event with a 3.3% chance of occurrence each year will result in the installation of the temporary defence across Derwent Street. At such times, Derwent Street along with Stuart Street, Exeter Place and Meadow Road would be closed to through traffic.

At the Bio House development site a 30m long flood defence of up to 2.4m height is proposed with a piled foundation and groundwater seepage cut-off. The construction of the flood wall will require the demolition of Bio House. The flood wall would be located between Derwent Street to the western side of the Exeter Arms Public House. Access to the Bio House development site would be from Derwent Street and possibly Exeter Street.

In Exeter Street, construction of a 80m long flood wall up to 2.2m high and 0.55m wide is proposed and demolition of Exeter House would be required to form a flood conveyance corridor extending from the Stuart Street flood conveyance corridor. Exeter House is a locally listed building and it provides an important provision of Council owned housing. It is indicated that the loss of Council housing will need to be mitigated prior to the demolition of Exeter House. Exeter Place is proposed to be widened to 9m with a 2m wide footway on its southern side to form a two-way road. The scale of works also involves the realignment of the Exeter Place and Meadow Road junction to form a single continuous highway. The existing flood defence between Derwent Street and Longbridge Weir would be removed. The Exeter Arms Public House is a locally listed building. The flood wall will follow the western edge of the Exeter Arms and then the realigned edge of Exeter Place and Meadow Road to the edge of the Darwin Place interchange. The proposed flood gate would be located to provide highway access off the Darwin Place interchange for left turn traffic onto Meadow Road only. The flood gate is proposed to provide pedestrian and cycle access across the flood defence line.

National cycle route 6 and a footpath follow a route along the riverside path between Exeter Bridge and Holme's Bridge. The cycle route is proposed to be diverted from the north side of Exeter Bridge to the south side of the bridge to avoid conflict between vehicles and right turning cyclists from Exeter Bridge to the riverside path by Exeter House.

Information supporting the application indicates that a flood event with a 3.3% chance of occurrence each year would result in the closure of the flood gate between

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Exeter Street and Meadow Road. At such times, Derwent Street, Stuart Street, Exeter Place and Meadow Road would be closed to through traffic and alternative access would be retained with signed diversions in place.

The area to the riverside of the proposed highway alignment alongside Exeter Street will be converted to open space of public value with improved landscaping. Potential environmental enhancements are indicated in this area with aspirations for wetland habitat including backwaters to be created in the area where Exeter House is currently located.

Outline planning permission is also sought for works at Darwin Place. The scale of works involves the construction of 145m long flood wall of up to 5.6m high above the lowest level of Meadow Road. This is indicated as being typically 2m high from the Darwin Place road level. The wall is proposed to have piled foundations and groundwater seepage cut off. The wall would follow the edge of the existing retaining wall between Darwin Place interchange and Meadow Road and would tie into the Holmes Bridge abutment. The wall is proposed to be brick clad but consideration will be given to the provision of a section of green wall or other public art to minimise its visual impact on the surrounding area. As part of the works, 8m wide flood gates of 2.5m height are proposed to be located across the entrance to the Darwin Place car park. They are proposed to prevent water from flooding into the car park and back onto the Darwin Place highway. The information supporting the application indicates that the flood gates would normally be in the open position and only closed at the onset of a flood with a 3.3% (1 in 30) annual chance or greater. It is indicated that the surface water drainage system in this area may need to be adapted to accommodate this development.

A flood event with a 3.3% (1 in 30) chance of occurrence each year would result in the closure of Meadow Road. At such times, Derwent Street, Stuart Street, and Exeter Place would be closed to through traffic.

Meadow Road and Mill Fleam Outfall.

The proposed works to Mill Fleam are to be undertaken using the permitted development rights of the Environment Agency under schedule 2, part 13 of the GPDO. The works are proposed to be undertaken as part of package 2.

The Mill Fleam is a man-made watercourse between the outfall of the Markeaton Brook culvert in bass's recreation ground and the river. Markeaton Brook collects much of the city centre surface water drainage. There is no hydraulic control present on the Mill Fleam / Markeaton Brook to prevent the river backing up along the watercourse and flooding Derby City through the surface water drainage system. The works at Mill Fleam would involve provision of a new headwall structure across Mill Fleam with provision of 2 new penstocks (each 4m wide by 3m high) to prevent the river from backing up the system. The penstocks would normally be held in the open position to maintain flow continuity during normal conditions. There is a risk that the hydraulic controls provided by the penstocks could result in surface water flooding from Mill Fleam being unable to discharge when the control is closed. A new offline pumping station is therefore also proposed. It would be offline so as not to

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obstruct the migration of fish, eels and other creatures along the watercourse and to help achieve Water Framework Directive objectives.

Meadow Lane extends from Holmes Bridge to Derby Junction Railway Bridge along the east bank of the river. It has restricted access as it is bound by the river, the Midland Mainline railway and St Alkmunds Way. The Smithfield Arms Public House is locally listed and is proposed to be offered property level protection (PLP) as it would remain in the flood conveyance corridor. National Cycle Network Route 6 runs along Meadow Lane down the footbridge and over the river by the Derby Telegraph.

The medium term plan for this area is indicated that the Trent Barton bus depot and Derby Telegraph sites will come forward as a single redevelopment plan that will deliver an integrated flood defence and provide an active frontage to the river.

At Meadow Lane, outline planning permission is sought for works that are proposed to be delivered as part of package 2.

Meadow Road is a slip road from the A52 westbound into the city centre and is a key access route for buses to the Trent Barton bus depot. Outline planning permission is sought for the construction of a 25m long floodwall up to 2.1m high between Holmes Bridge highway embankment and Meadow Road. It is indicated that the flood wall is likely to be clad in brick. Localised raising of Meadow Road is also proposed where possible and provision of a 12m wide by 2.1m high temporary defence across Meadow Road with appropriate foundation and groundwater seepage cut-off. This defence would be located across Meadow Road to the east of the steps up to St Alkmunds Way.

Information supporting the application indicates that the temporary defences will typically need to be installed at the onset of a flood with a 3.3% (1 in 30) annual chance of occurrence or greater. At this time there will be no access along Meadow Road to the bus depot and North Riverside area. Alternative access through routes with signed diversions would be put in place.

Outline planning permission is sought for works at the Trent Barton bus depot and the Derby Telegraph as part of the package 2 works. Both sites are identified as development sites.

At the Trent Barton bus depot site, outline planning permission is sought for construction of a 150m long flood defence of up to 2.2m in height between Meadow Road and the Derby Telegraph site. The flood defence would require the removal of the existing bus depot buildings and Trent Barton Bus Depot would need to be relocated. At the Derby Telegraph site outline permission is sought for the construction of a 200m long flood defence of 2.4m high. This section of the works would extend between the bus depot and the southern end of the existing Derby Telegraph building. Construction of a 190m long flood wall of 1.9m height is also proposed between the southern end of the existing Telegraph building and Derby Junction Railway Bridge. This part of the flood wall would be located 1.2m to the west of the Network Rail boundary fence. All the defences would have piled foundations and a groundwater seepage cut-off. The outline applications seek

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approval for flood defence walls but the OCOR Masterplan seeks to unlock the regeneration potential in this area and the preferred approach is for a continuous line of built form to be provided at Meadow Lane which would provide an integrated defence and active frontage to Meadow Road. The intention is therefore for the flood defence to be integrated into the redevelopment of the site.

It is indicated that Local Cycle Network Route 6 will be retained along Meadow Lane.

It is indicated that the provision of a 2.2m high defence across the front of the existing Depot would restrict access for buses and create an uninviting and secluded riverside corridor. A flood defence at the back of the site would result in an increase in flood risk at the site and the economic regeneration potential of the site would be lost.

Derby Junction Railway Bridge is listed and located within the Railway Conservation Area. As part of the works in this area of the city, provision of scour protection to the bridge is proposed. The OCOR project will increase flood levels and water velocities on and around the bridge and mitigation works are required to ensure that the bridge remains structurally sound in such flood conditions. This work does not require planning permission but is proposed to be undertaken as part of the package 2 works.

Pride Park.

The works proposed at Pride Park are to be undertaken using the permitted development rights of the Environment Agency under schedule 2, part 13 of the GPDO. The works are proposed to be delivered as part of package 2.

This area of the project extends from Derby Junction Railway Bridge to North Parade along the south bank of the river. The existing flood defence in this area is an earth embankment generally located between commercial property on its south side and the riverside path on its north side. The riverside path forms part of National Cycle Network Route 6.

In this area of the project, four lengths of flood wall are proposed totalling 650m in length. They are proposed to extend up to 0.5m in height. The flood walls are proposed to be constructed along the top of the existing flood bank which is typically offset from the riverside path which it is indicated would be unaffected by the works. It is indicated that the works are required to maintain the existing standard of flood protection in this area.

Chaddesden Sidings.

Outline planning permission is being sought for these works which are proposed as part of package 3.

Chaddesden Sidings is a piece of land which extends along the northern bank of the river in between Derby Junction Railway Bridge and Derwent Parade Bridge. The land stands to the south of the Cattle Market, between the riverside Costco and the railway line. The site extends to approximately 1.2km in length. The western part of the site is a former gravel quarry that is no longer in operation and the land to the east remains in operational use by Lafarge. Part of the site was historically used as a landfill site. Stockpiles of gravel and fill remain present on this part of the site. An

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existing flood defence extends across its northern boundary. It is formed by a railway embankment. However, during flood events, an acoustic barrier and an area of raised ground along the river's edge serves to confine flows within the river channel. The majority of the land is identified as a green wedge in the CDLPR and large areas of it stand as open grassland. The central part of the site is also identified for use as leisure and recreation of an open nature. The western extent of the area is an identified sports pitch whilst the southern edge of the area forms part of a nature conservation area. The land is designated as a potential Local Wildlife Site. The site contains many trees and two public rights of way which and CDLPR policy seeks to protect the routes between Chequers Land and Meadow Lane.

Outline planning permission is sought for works at this site and this includes removal of the existing 260m long acoustic barrier along the river's edge. The removal of this barrier would reduce the ground level by up to 2m. Ground levels along the eastern edge of the site are also proposed to be reduced by up to 3m and this would result in the creation of a 120m flood conveyance corridor. The existing barrier and high ground currently confines the river to a narrow channel. Ground levels across the northern section of the site are proposed to be raised by up to 4m resulting in the formation of a flood defence provided by the raised ground. The approximate volume of material proposed to be removed to form the conveyance corridor is indicated as approximately 200,000m³ and this will be used to raise the levels on the northern part of the site subject to the material concerned being suitable. Capping of the flood conveyance corridor is proposed with clay material to minimise scour (the removal of sediment by moving water) and the risk of exposing potential contaminants from the ground. Planning permission is also sought for the construction of a 170m long flood embankment of up to 2.2m in height at the western end of the sidings site, adjacent to the Midland Mainline Railway. A vehicular access ramp with a 1 in 8 gradient is proposed to provide access over the defence. Outline planning permission is also sought for a 480m long brick clad flood wall of 0.6m height along the boundary that extends between the Costco site extending up to Derwent Parade. The existing boundary fence would be reinstated on top of the flood wall. The application provides details of the alignment of those works and the proposed heights. Details relative to the external appearance of the works, along with landscaping and access details, are reserved for future approval. Notwithstanding this, it is indicated that detailed landscaping plans are to be developed and the application outlines measures anticipated and these include reinstatement of wet woodland planting as all trees from the areas where ground levels are to be lowered, the reinstatement of two ponds and creation of a new pond with marginal planting. The flood conveyance corridor is indicated as being planted with a species suited to wetland habitats and the area of raised ground seeded with a wildflower mix. It is indicated that the primary purpose of reinstatement of this site which is designated as a potential wildlife site, will be the replacement of existing valuable biodiverse habitats that will require removal to enable the earthworks. Detailed designs and proposed to response to the detailed ecological surveys but it is assumed that this will consist of the elements outlined above. It is indicated that reinstated habitats would be

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managed in line with a management plan and developed in consultation with Derbyshire Wildlife Trust.

Detailed options appraisals were undertaken as part of the development of the OCOR Masterplan which considered the formation of a riverside conveyance channel of varying widths across the Chaddesden Sidings site as a means to achieving an acceptable balance between flood risk management and potential future site redevelopment. The widening of the corridor in this area is indicated as helping to relieve the constriction to flooding that the Derby Junction Railway Bridge causes.

Chaddesden Triangle.

Outline planning permission is sought for this element of the works that is proposed to be delivered as part of package 3. Chaddesden Triangle is identified in the application as a development site.

This large industrial site extends between Derwent Parade Bridge and Wilmorton Railway Bridge on the north side of the river. It extends to the south of the Wyvern retail park, between the railway line and the river. It is allocated under policy EP7 as employment land in the CDLPR and is the site of a former sand and gravel pit and has been filled with inert waste. Outline planning permission is sought for the works with only layout and access detail being submitted for approval. The intention would be for the flood defence proposals to come forward as part of a wider re-development scheme for the site. The site is owned by Network Rail and they are working in progress with a developer to bring the site forward for development. An application for outline planning permission has been submitted for a mixed use development on the site and that application has not yet been determined but does take account of the OCOR project proposals for this site.

There is an existing flood bank along the river's edge. This embankment is proposed to be removed as part of the works in this area which aim to open up the river corridor. The level of works proposed at Chaddesden Triangle involves the removal of the existing 670m long, 20m wide and 3m high flood embankment along with additional lowering of ground levels to form a 45m wide flood conveyance corridor to a specified finished ground level. It is indicated that the surface of the conveyance corridor may need to be surfaced with a clay capping. The formation of a new flood defence is proposed along the edge of the conveyance corridor to specified levels at the upstream and downstream ends of the site. The proposed defence would meet Derwent Parade to the north and the Railway Embankment to the south. This could take the form of raised ground levels or a standalone defence.

It is indicated that the flood conveyance corridor will provide the opportunity for wetland habitat creation works. The site of the former Derby canal extends along the southern boundary of the site and outline planning permission has been granted for the complete restoration of the Derby and Sandiacre canal. This route is proposed to be safeguarded through the site.

As part of the works in this area, the OCOR project works also involve works to Chaddesden Triangle Outfall and Wilmorton Railway Bridge. The Chaddesden Triangle outfall is located at the southern edge of the Chaddesden Triangle site with

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an open channel which runs directly into the river. The existing outfall structure is proposed to be removed and replaced with a new structure with a penstock and flap valve on the edge of the proposed flood conveyance corridor. The existing culvert would be removed and between the existing and proposed outfall to create an open channel. This work is proposed to be undertaken using the permitted development rights of the Environment Agency and therefore this element of the proposals will not require planning permission.

As part of the works, scour protection is proposed to be provided to the Wilmorton Railway Bridge. The OCOR project will increase flood levels and water velocities on and around the bridge and scour protection is outlined as being necessary mitigation works to ensure that the bridge stays structurally sound during flood conditions. This work is not considered to constitute development and does not require planning permission.

Network Rail has commented on the planning application and has indicated that the proposals are broadly in agreement with the discussions already held with their partners. They have indicated that it is likely that the flood defence works outlined would be delivered by them and their partner as part of a wider mixed use regeneration scheme for this site. They have indicated that the design works for the site will require an emergency vehicular access route from the Network Rail depot, up to and under the Derwent Parade road Bridge and out through the Triangle site. They have indicated that this seems to conflict with the proposals for the new pumping station and will need careful resolution. Network Rail have suggested that this could be dealt with by condition of planning permission but the new pumping station is to be developed using permitted development rights and therefore does not require planning permission. It would however, be reasonable to attach a note to applicant to make them aware of a need to resolve this issue.

Network Rail have advised that they have noted that the scour protection works are proposed for the Wilmorton Railway Bridge and they have indicated that they are happy for this to be the subject of a condition of planning permission. However, those works do not require planning permission.

Alvaston Park.

Outline planning permission is sought for this element of the works that are proposed to be delivered as part of package 3.

The area of Alvaston Park extends to the south of Wilmorton Railway Bridge on the south side of the river. It is approximately 3.2km south of the city centre and it is estimated to cover approximately 34.4 ha. The river extends to the north of the park and London Road (A6) sits to its south. The land adjacent to the park is in a number of uses and includes land in residential and industrial use along with a school and areas of public open space. This is an attractive public park and well used sports facility. Facilities within it include a community building and café, sport facilities including a BMX track and skateboard park, changing rooms, play area, science garden and a fishing lake. Both local and national cycle networks pass through the park and the riverside path is part of National Cycle Network 6. It is the main public

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open space for the community of Alvaston and is used for community events. The area is defined as an area of open space in the CDLPR. It also forms part of the Lower Derwent Valley Green Wedge.

There is an existing flood bank along the edge of the river with a 3m wide path along its crest. Information supporting the planning application indicates that this currently provides protection against a 1% (1 in 100) annual chance flood event. The existing embankment protects parkland and residential properties. It is indicated that the flood defence works proposed as part of this project would result in a 0.2m increase in peak flood levels in such an event. There will be smaller increases in peak flood levels for less severe flood events. Smaller increases in peak water levels are also predicated for the 2% (1 in 50) and 1.3% (1 in 75) annual chance floods. It is indicated that over the coming decade's climate change is likely to increase the risk of flooding leading to more frequent and severe flood events. On completion of the OCOR project, the existing flood embankment would therefore no longer provide a 1% (1 in 100) annual chance standard of protection. This represents a reduction in the standard of protection compared to the existing situation and this is as a direct consequence of the works proposed as part of the OCOR project.

To off-set the increase in flood risk, it is proposed to construct a new embankment to provide a 1% (1 in 100) annual chance standard of protection to properties in Alvaston. Outline planning permission is sought for the construction of new flood defences along the landward edges of the park. 1040m long flood defences of between 2.1m and 2.6m in height are outlined along the southern and eastern boundary of the park. The changes in defence height across the area result from differing land levels within different areas of the park. The proposals also include raising an 80m length of existing defence adjacent to Raynesway Bridge to provide a tie in with the new defences. Some raising of land levels around the eastern edge of the lake are also proposed. Information supporting the application indicates that the lake is surrounded by higher ground than the rest of the park and with some minor works to low spots, the annual risk of flooding could be retained at 1 in 100 for the lake. Access details are not to be agreed as part of this application as they are reserved for future approval but it is indicated that access roads into the park would need to be ramped by up to 2.2m in height and 55m in length to ensure that flood defence levels are maintained. The existing flood defence which runs along the river's edge is proposed to be retained. Although consideration has been given to its removal, it is proposed to be retained as part of the scheme after concerns were expressed with regards to the implications of its removal for flooding at the park, following pre-application consultation. Its retention will allow the flood risk options for the park to be left open for further consideration at the appropriate time when package 3 works are being delivered.

Only scale and layout details are provided for approval with landscaping and external appearance also being subject to reserved matters but it is indicated that the initial designs propose flood embankments for this area. However, the form of the defence would be subject to future approval as part of the reserved matters as it is indicated that the form of defence may vary in different sections in response to local

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constraints. The detailed designs will therefore be considered at a later date along with options for the retention of the existing flood bank. Based on the inclusion of a flood embankment, indicative tree losses are shown on the plans with a design aim outlined which seeks to replace all trees lost on a 1:1 ratio and as close to their original location as possible.

The Sports Provision Mitigation Report that has been submitted in support of the application indicates that a Master planning exercise should be completed for Alvaston Park with the focus on developing a central hub for youth football. It is indicated that this should include mitigation for the loss of playing pitch provision resulting from the OCOR works.

Raynesway.

The proposed works at Raynesway are to be delivered as part of package 3 using the permitted development rights of the Environment Agency under schedule 2, part 13 of the GPDO.

The Raynesway site extends from Wilmorton Railway Bridge to the A5111 Raynesway Bridge on the north bank of the river. There is an existing flood bank along the edge of the river which is bounded on its landward side by Rolls Royce and a private cricket / recreation ground. The works in this area are proposed as mitigation for the increase in flood levels during severe flood events associated with the proposed upstream works. The scale of works proposed involves raising a 620m long section of the existing flood bank downstream of Wilmorton Railway Bridge by up to 0.75m and re-profiling the embankment to provide a 3.5m wide crest and side slopes with a 1:3 gradient for safer maintenance access. The raising of a 380m long section of the existing embankment around the cricket pitch is also proposed by up to 0.5m by installing a continuous sheet pile with a concrete capping beam through the existing defence.

Ambaston.

The works at Ambaston are proposed to be implemented using the permitted development rights of the Environment Agency under schedule 2, part 13 of the GPDO. They are works that are proposed to be delivered as part of package 2.

Ambaston sits outside of the Derby City boundary and falls within the jurisdiction of South Derbyshire District Council. The Flood Risk Assessment submitted with the planning application indicates that raising the defences through the centre of Derby increases flood levels along the Derwent downstream of Derby Junction Railway Bridge to Shardlow. It is indicated that package 2 works result in a 0.03m increase in peak flood levels for Ambaston. Mitigation works at Ambaston are considered necessary to offset an increase in flood risk arising from the works upstream. The Design and Access Statement submitted with the application indicates that the hydraulic modelling demonstrates that flood levels at Ambaston of a range of severities are very similar. This is because of the width of floodplain available in this area meaning that larger volumes of water are spread over such a large area that there is little impact on flood depth.

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The existing defence at Ambaston comprises a flood embankment which extends around the perimeter of the Village. The works proposed to the defences as part of the Our City Our River project involve the raising of a 415m long section of that embankment by up to 0.25m and the reprofiling of the raised embankment to provide a 3.5m wide crest and side slopes with a 1:3 gradient for safer maintenance access. The works around the northern end of the ring bank will raise some low spots in the embankment to ensure there is a consistent standard of protection around the village.

Shardlow.

The works at Shardlow are proposed to be implemented using the permitted development rights of the Environment Agency under schedule 2, part 13 of the GPDO. They are works that are proposed to be delivered as part of package 2.

Shardlow sits outside of the Derby City boundary and falls within the jurisdiction of South Derbyshire District Council. Downstream of Shardlow is the confluence (junction) between the Rivers Trent and Derwent. The existing flood defences at Shardlow comprises a flood embankment which runs through fields to the north of the village. There are a number of access points along the embankment. Parts of the defences are within the Shardlow conservation area.

The Flood Risk Assessment submitted with the planning application indicates that raising the defences through the centre of Derby increases flood levels along the Derwent downstream of Derby Junction Railway Bridge to Shardlow. It indicates that works undertaken as part of package 2 results in an increase in peak flood levels for Shardlow of 0.03m. Mitigation works at Shardlow are therefore considered necessary to offset an increase in flood risk arising from the works upstream.

The extent of works proposed involves raising low sections in the existing flood embankment to provide a consistent standard of flood protection and reprofiling the raised embankment to provide side slopes with a 3.5m wide crest and 1:3 gradients for safer maintenance access. Three sections of the embankment, totalling 1,250m will be raised between 0.15m and 0.4m. It is indicated that the embankment will be raised and extended on its landward face, where possible, to prevent encroachment into the floodplain and towards a local drainage ditch. However, where private gardens are encountered on the landward side, works would probably be undertaken on the riverward side to minimise disturbance. The works are proposed to ensure that there is a consistent standard of flood protection to the village.

2. Relevant Planning History:

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3. The requirements of the Environmental Impact Assessment Regulations

Regulation 3(4) of the EIA Regs provides that a Local Planning Authority “shall not grant planning permission pursuant to an application to which this regulation applies unless they have first taken the environmental information into consideration, and they shall state in their decision that they have done so.” Reg 2(1) provides that “environmental information” means the environmental statement, including any further information and any other information, any representations made by anybody required by these Regulations to be invited to make representations and any representations duly made by any other person about the environmental effects of the development.” Therefore while the Environmental Statement is part of the Environmental Information it is the totality of the Environmental Information which it is important for Members to take into account.

4. The Environmental Assessment

In the ES the impact methodology used to assess the significance of effects from specific topic areas is outlined in detail and there are some differences between that methodology for some of the topic areas. For each topic area, it is defined how the study area was established and outlines the scoping process used to identify the key receptors that could be affected by the works. The ES identifies criteria for classifying the sensitivity of environmental receptors, criteria for classifying the magnitude of impact and criteria for classifying the duration of impacts. When considering magnitude of impact generally, it is indicated that this is assessed using criteria that consider a percentage for the extent of a site, area or population effected by the works. Generally, for duration of impacts, in those classed as temporary, short term continues through construction and up to 1 year following completion, medium term indicates impacts which continue 1-5 years after construction and long term is 5 to 10 years following construction. Permanent impacts are those that continue for a period greater than 10 years following construction. The effect on a receptor is the consequence of the change brought about by the project and the sensitivity of the receptor that is affected. The significance of each effect has been defined in the ES based on the value and or sensitivity of the receptor and magnitude of the impact. In general, each effect is classed as major, moderate, minor or negligible. Significant effects arising from the scheme are those identified as moderate or major. The predicted effects are initially assessed without the implementation of any mitigation. Mitigation measures are outlined in the ES and the effect of the project incorporating the proposed mitigation measures is assessed in the ES and this provides a residual effect. It is the residual effect that is highlighted in parts of the following summary.

The topic areas considered in the ES includes the following:

- Archaeology and cultural heritage.
- Landscape.
- Visual amenity.

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- Soil and land contamination.
- Water, flood risk and hydrogeology.
- Flora and fauna.
- Traffic, transport and air quality.
- Human population.
- Resource use and water management.
- Environmental enhancements and cumulative effects.

It needs to be recognised that the assessments in the ES are undertaken with some design uncertainties remaining. This includes the proposed alignment and height of flood defences only being known for the development sites along with the required clearance for flood conveyance on the river side of the defences as the form and appearance of those defences, along with the detail relative to any future development on those sites, is yet unknown. A further uncertainty relates to the degree of tree loss. The extent of tree removal shown is indicative as the extent of clearance required could increase or decrease as detailed design and detailed construction methods are developed. A scheme wide tree management plan is proposed to be developed with an objective to ensure no net loss of tree quantity or quality of tree cover in the long term.

The information in the ES is detailed and extensive and the following is only a summary of each of the chapters. The aim of this section of the report is to provide members with an overview of the likely significant effects arising from the scheme, as identified in the ES.

Archaeology and Cultural Heritage.

This chapter considers the potential construction and operational impacts that the proposed development may have upon deposits of archaeological interest and historic monuments. The significance of an effect results from the combination of the importance of the cultural heritage resource and the magnitude of the impacts. In this chapter, only effects that are assessed to be of slight / moderate significance or higher are considered to be significant impacts. (Full details of the terminology and methodology used are outlined in the ES.)

This assessment included the project area and a 250m radial area surrounding the site. Hundreds of heritage assets were identified in this area. The ES includes a gazetteer which lists all heritage assets of archaeological interest and listed buildings within the project area in addition to any listed buildings within 250m of the project area from which the proposed works would be visible. Only heritage assets of archaeological interest that are within the project area are identified as part of the list given that they are the only ones that may be subject to direct physical impact.

The potential for effects arising as a result of changes to the pattern of flood water movement from the project is examined. This chapter identifies six heritage assets where there would be an increase in the predicted flood hazard that might cause

4. The Environmental Assessment

significant effects. The hazard increases were predicted to be on a 1% (1 in 100 basis) and would represent the most severe level of flooding likely to be experienced. The six sites are the Vicus at Little Chester, the Roman Bath House (associated with works at Little Chester), the Roman site at Parkers Piece (associated with works at Little Chester), St Mary's Chapel House, St Mary's Bridge Chapel and Lombes Silk Mill (associated with works at Sowter Road). The velocity of water movement in these areas has been assessed and it is indicated that the project would result in either no change in the current velocities or a slight decrease. It is concluded therefore that there is no predicted likelihood of increased scouring in these areas as a result of the project but there is a possibility that these sites will experience increased depths and extents of flood water during 1% (1 in 100) flood events and it is indicated that this could impact upon the fabric of St Mary's Bridge Chapel. It is indicated that any predicated increase in resultant damage is likely to be superficial.

This chapter of the ES identifies that there will be impacts on three of the Conservation Areas that lie within the project area and this includes Darley Abbey, Little Chester and Strutts Park. The information submitted indicates that works within these areas will be localised and are either peripheral to each Conservation Area or will not result in significant permanent visual effects on setting and none of the identified likely effects is considered to be significant.

Likely Significant Effects on The Derwent Valley Mills World Heritage Site.

The ES identifies the WHS as being of very high sensitivity given that it is a recognised site of international importance by UNESCO. It identifies likely significant effects arising for the WHS. It is indicated that there will be temporary visual impacts on the setting of several listed buildings within the WHS as a result of temporary effects arising during construction. These impacts arise from the proposed working area and compound proposed to be located at the western side of Darley Abbey Mills. The significance of the residual effect on the WHS as a whole (following mitigation) is indicated as being minor. With regards to permanent construction effects, it is indicated that impacts upon several elements of the industrial landscape of the WHS would result. These include impacts upon Darley Abbey Mills Bridge and impacts on sub-surface remains of archaeological interest associated with industrial development in this part of Derby which are pertinent to understanding the WHS as a whole. Many of the impacts are indicated as occurring as a result of disturbance during ground works necessary for the construction of the flood defences but the significance of the residual effect on the WHS as a whole, following appropriate mitigation is again, indicated as being minor. With regards to operational effects, works to Darley Abbey Mills Bridge are indicated as slightly altering the appearance of the bridge and views of Darley Abbey Mills from the south and west, which is a UNESCO monitored view of the WHS. The character of views within the WHS would also be changed by the construction of the flood wall on the eastern side of Darley Playing Fields, the construction of defences at Little Chester and the resulting changes to the layout of sports facilities along with the new defences proposed to the north of St Mary's Bridge. The ES identifies the significance of the residual effect during operation as being none following any mitigation works.

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This chapter of the ES goes on to assess the likely significant effects on individual components of the WHS. During construction, temporary visual impacts are highlighted on the setting of a number of listed buildings within the Darley Abbey Mills Complex. This impact, again results from the working area and compound. The significance of the residual effects (following mitigation) on West Mill has been assessed as being potentially direct, major, negative and temporary. The significance of the effects on Long Mill, Middle Mill, former engine house and chimney, bobbin shop, former engine house and chimney, former sawmill and workshops have been assessed as being potentially direct, minor, negative and temporary. With regards to construction effects, the ES identifies that there is the potential for the survival of sub-surface remains associated with former industrial sites that have now been demolished. Depending on the character of these assets the ES indicates that programmes of archaeological strip and record or watching briefs will be undertaken to facilitate the preservation by recording of any surviving remains and the residual effects have been assessed as a result of which form of archaeological mitigation is proposed. Some of the WHS individual component sites are identified as having high and medium levels of sensitivity and the significance of the residual effects, following mitigation by watching brief, on the former site of Duke Street railway sidings, wharfs and crane have been assessed as being potentially direct, moderate, negative and permanent. The significance of the residual effect on the Derbyshire and North Staffs extension of the Great Northern Railways and the site of the timber yard and saw mill is proposed to be mitigated by watching brief, has been assessed as being potentially none. The significance of the residual effects on the coal wharf, the cement and plaster works, the union iron foundry and the Britannia foundry and engineering works is proposed to be reduced through mitigation through programmes of strip and record and have been assessed as being potentially direct, minor, negative and permanent. The significance of residual effects of the City Road foundry, the colour works, the sun iron foundry, the former timber yard, the corn mill, the Phoenix iron foundry, the Sandiacre branch of the Derby canal and the boiler works is also proposed in the ES to be reduced by mitigation through programmes of strip and record and have been assessed as potentially none. It is indicated that previous archaeological work indicates that a mill leat associated with Lombes Silk Mill may be of sufficient archaeological importance to require preservation in situ and it may be necessary for this to be incorporated into the detailed design.

Operational effects on individual components in the WHS include those heritage assets that will be subject to visual impacts upon their setting. The individual sites identified as having a very high sensitivity are St Mary's Bridge which is grade II* listed and a scheduled monument, St Mary's Chapel House which is grade II listed and St Mary's Bridge Chapel which is grade I listed. These three heritage assets along with the grade II listed Handyside Bridge are identified as potentially being effected directly by visual impacts upon their setting as a result of the establishment of the flood defences. The ES outlines elements of the schemes design including landscaping features which will assist in offering screening and a break up the lines and starkness of the defences. The significance of the effects on these heritage

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assets prior to mitigation is identified as moderate / large and direct, negative and permanent. Following mitigation, the ES indicates that the significance of the residual effects during operation has been assessed as being potentially none.

Likely Significant Effects on Roman Derby.

The area of Roman Derby associated with the works at Little Chester is identified as being of high sensitivity and associated sub-surface remains will be subject to disturbance from ground works associated with the works. The magnitude of the construction impacts is identified as potentially major. These impacts are indicated as applying to the Archaeological Alert Area (AAA) associated with Roman Derby. It is indicated that parts of the AAA have been subject to archaeological evaluation trenching in addition to a desk based assessment but a programme of strip and record is proposed due to the high sensitivity of the site and the potential for previously unidentified remains of archaeological interest to be found. This is proposed to form the basis of the mitigation measures being proposed along with potential for additional archaeological evaluation trenching and opportunities for public engagement with site tours and open days, where suitable opportunities can be permitted and direct access is available. The public understanding of the site is proposed to be improved through interpretive landscaping that will reflect the former shape of the monument above ground along with information panels that will explain the former character of the area. The significance of the residual effect in this area following mitigation, has been assessed as direct, moderate / slight, negative and permanent.

The individual component sites of Roman Derby indicated as having high sensitivity are Vicus at Little Chester, the Roman Fort at Little Chester, Roman bath house, the Roman site at Parkers Piece, the Roman road at Little Chester, the Roman roads between Rochester, Derby and Broxtowe, Rykneld Street and the road between Little Chester, Derby and Sawley. In respect of the significance of construction effects, the Vicus at Little Chester, the Roman Fort at Little Chester, the Roman site at Parkers Piece and the Roman bath house, the significance of the residual effects on these heritage assets will be reduced by mitigation and have been assessed as being direct, moderate, negative and permanent. The significance of the residual effects on the Roman roads following mitigation is assessed as being direct, minor, negative and permanent. It is indicated that the precise line of Rykneld Street is uncertain and strip and record works will be undertaken to identify the precise route.

Likely Significant Effects on Other Heritage Assets.

Other assets would be affected as a result of construction works and in the ES they have been grouped according to the use of watching brief, strip and record or building survey to mitigate effects. For package 1 sites subject to mitigation by watching brief, those identified as having a high sensitivity include, a Saxon cemetery associated with works at Little Chester. Medium sensitivity sites are identified as medieval fishery (associated with works at Little Chester) a well (associated with works at Etruria Gardens) and the medieval phases of St Mary's Bridge. In relation to the medieval fishery, the well and Saxon cemetery the significance of the residual effects will be reduced by the watching brief and are indicated as being direct, minor,

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negative and permanent. The Saxon cemetery has not been precisely defined but it is indicated that the need for a watching brief may be avoided as programmes of strip and record evaluation will take place in the wider area as part of the mitigation works proposed for the Little Chester Roman site and Vicus. It is indicated that if any remains associated with the medieval phases of St Mary's Bridge are encountered, then this area would be subject to strip and record evaluation. The ES indicates that a preliminary assessment indicates that the significance of residual effect will be potentially none.

For package 2 sites subject to mitigation by watching brief, sites identified as having a medium sensitivity include; Castle Mill and Copper Mills (associated with works at Riverside Gardens) and Ford Lane and the Derwent Iron Foundry (associated with works at North Riverside). The ES indicates that the significance of the residual effects on the Derwent iron foundry will be none and the significance of the residual effects on the other three assets will be potentially direct, minor, negative and permanent.

For package 2 sites subject to mitigation by strip and record a mound of uncertain date and function in Ambaston and an Area of Archaeological Potential and series of late prehistoric or Roman features identified by crop marks in Shardlow are identified as being of medium or potentially medium sensitivity. The significance of the residual effect following mitigation is indicated as being potentially minor.

For package 2 sites subject to mitigation by building survey, the locally listed buildings of Exeter House and Compton House are identified as being of medium sensitivity. Both buildings are proposed to be demolished and the significance of residual effects are proposed to be reduced by building survey and are assessed as being moderate.

The ES highlights operational effects as a result of package 1 works on the Grade II* listed Stone House Prebend. It is assessed as being of high sensitivity. The building will be subject to a visual impact upon its setting as a result of the installation of the flood wall to the west and south of the house. The significance of the residual effects on Stone House Prebend will not be reduced by mitigation and is assessed as being moderate.

Landscape.

This chapter of the ES addresses the effects of the proposals on the landscape character. It considers baseline definitions of landscape character and assessments of landscape quality, topography, watercourses, green infrastructure vegetation and tree cover, public open space, recreational areas, access routes, historic landscape and cultural heritage influences. The study area for this chapter centred on the river, 1km either side of the flood defence works. It is indicated that the limited vertical elevation of the flood defence structures combined with the screening effects of existing built form and vegetation, greatly reduce the likelihood of larger scale effects on landscape character.

In this chapter, the criteria for assessing the significance of landscape effects are set out and they are determined having set out the sensitivity of the receptor and

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magnitude of effect. Major and moderate levels of effect are considered to be significant whereas minor and negligible effects are considered to be insignificant. Only the significant effects are discussed in detail in this chapter of the ES.

Mitigation measures are outlined as being incorporated into the proposals and they have been provided to reduce the potential negative effects of the developments on landscape. These measures include use of brick, stone and other cladding materials along with cappings, piers, panels and material changes to reduce the scale and improve the visual coherence with the surrounding landscape. The use of structural glass panels to preserve views and reduce the dominance of walls and the raising of ground levels to reduce the visible vertical elevation of the walls. Replacement tree planting is proposed to minimise negative visual changes and this includes off site planting as mitigation for areas where replacement planting in the original position is not practical. The re-design of public open spaces is proposed to minimise or avoid any loss to landscape character or to improve it and the integration of defence measures into the landscape design to reduce or remove the visibility of engineered flood defence structures.

The national and local designations of landscapes, buildings and assets with heritage value within the project area are noted in this chapter which includes the Derwent Valley Mills WHS, listed buildings, scheduled ancient monuments and conservation areas. It is noted that there are no national designations providing statutory protection specifically to landscapes for their scenic beauty or character within the study area. The river corridor is however identified as a key component of Derby's green infrastructure network and is one of a number of sub-regional green infrastructure corridors that are seen as having particular importance within the sub regional network. Those designations and policies identified in this chapter, support the classification of the study area as containing areas of internationally important landscapes due to their heritage value and historic / landscape character. As a component of green infrastructure, the Derwent Strategic corridor is considered to be of sub-regional importance and value. The public open spaces and recreational facilities, parkland and woodland are indicated as being considered to be of local value and importance. The ES indicates that the more distinct and recognisable, and therefore more sensitive parts of the study area are typically within the WHS and conservation areas. These are areas where designations serve to protect the special heritage and aesthetic qualities.

Landscape character is concerned with what makes areas distinctive and recognisable. Of some twenty eight sites within the Our City Our River project, it is indicated that no significant landscape effects are expected at twenty two of them. The following highlights the areas where significant landscape effects are anticipated.

Likely Significant Effects on Landscape: Package 1 Sites

- Darley playing fields is within the WHS and is a sensitive site with distinctive and potentially at risk landscape features. It is indicated that a moderate significant permanent landscape effect will result from the combination of the proposed walls, the ramped path, loss of trees and the new embankment.

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- Parkers Piece is a highly sensitive site within the WHS buffer zone and within the Little Chester Conservation Area. Historically, open views from City Road have been maintained across Parkers Piece to the river. The new 2.2m high flood defence would impact upon this landscape but it is outlined in the ES, the mitigation measures that have already been incorporated into the design to mitigate this effect which includes the incorporation of structural glass panels and the provision of a line of street trees within the widened footway on City Road. The residual effect on this landscape is indicated as moderate, negative and permanent on completion, reducing to minor negative and permanent after 10 years with the establishment of new street trees.
- St Mary's Bridge is a scheduled monument and listed building and is within the WHS. The landscape potentially affected by the works in relation to the bridge includes the car park and the bridge itself from which the flood defences will be visible. A significant landscape effect is expected to be experienced on completion at this site. The proposed wall on its own may generate a low magnitude of effect but coupled with the required tree losses, it is indicated that on completion, a moderate level of significance and negative temporary effect will result as the trees have particular landscape qualities and a gap would be created in the established tree line before replacement planting becomes established. After ten years and once those trees have matured, the effect is indicated as minor, negative and permanent.
- As part of the Duke Street plans, the area between the Bath Street Mills site and the Britannia Court development site follows the edge of the WHS and is within the WHS buffer. It forms part of the local riverside public open space network and Derwent green infrastructure corridor. The ES indicates that in this area, the works will not create a permanent negative effect due to the sensitive design and integration of flood protection measures with open space. On completion of the works, and due to the loss of well-established mature trees, a minor, negative and temporary effect is anticipated resulting in a moderate level of significance (positive) of permanent effect on local landscape character once new trees and vegetation have been established.
- Within the Duke Street are of the proposals, between the Britannia Court development site and St Mary's Bridge, the area continues to follow the edge of the WHS and extends partly within it and also lies within its buffer zone. It forms part of the riverside open space network and Derwent green infrastructure corridor. There are a number of well-established trees that would be lost in this area but it is indicated that the proposed defences will not create a negative effect due to sensitive design and integration with the green space. The resulting impact is identified in the ES as a moderate level of significance (positive) change.

Likely Significant Effects on Landscape: Package 2 Sites.

- At Exeter Bridge a significant effect is anticipated in relation to the proposed flood gates and associated structures in this location. It is indicated that the

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retrofitting of new structures within the streetscape here could potentially have a significant negative effect on local townscape character. It is indicated that a moderate negative level of significance and permanent effect would result but if sensitive architectural detailing with high quality materials matching the existing stonework and public realm, it is indicated that the residual effect would be reduced to minor (and therefore not significant) negative and permanent.

- An adverse effect on local landscape character is identified at Mill Fleam resulting from the removal of trees, and introduction of a new pumping station, associated concrete apron and clad wall of 1.5m height above road level. It is indicated that replacement planting could reduce the effect of the works on the interior of the adjacent green space and moderate, temporary negative effects on completion would become minor (and not significant) negative and permanent after ten years.

Likely Significant Effects on Landscape: Package 3 Sites.

- The only site identified where significant landscape effects would result as part of package 3 works is at Alvaston Park. There are strong avenues of trees at the park entrances which are locally important and distinctive landscape features and these would be damaged by the need to remove trees to implement the works. Two important entrances would be effected by the ramped sections and it is indicated that the proposed embankment would be noticeable as a new and unnatural linear feature. On completion, the works are indicated as having a moderate negative level of significance, permanent although localised landscape effect at this site. Although replacement tree planting could neutralise the impact of tree losses over time, this mitigation is not considered enough to reduce the overall landscape effect and after ten years it is indicated that it would remain as moderate negative permanent.

The ES considers intra-project landscape effects which are those resulted from the accumulation and interaction of individual landscape effects. Significant effects may result from a combination of individual effects which in themselves are not significant but when added together, become so. For this part of the assessment, all landscape effects were reviewed and not just the significant ones. Two receptors are identified and these are landscape character and tree cover.

In respect of landscape character, it is not considered that there will be any significant combined additional effects upon landscape character when looking at the project as a whole. It is indicated that the flood walls are not in themselves, typically out of place in the urbanised areas proposed and where they are expected to generate significant effects, it is typically as a result of the detail of their alignment and the resulting disruption to existing landscape features. Overall, it is indicated in the ES that the accumulation of flood defence walls along the River Derwent corridor is therefore not considered to represent any significant combined effect. It is indicated that flood embankments provide more scope for the structures themselves to be at odds with the local landscape character. At Ambaston and Shardlow, works are limited to raising existing embankments. Little Chester and Alvaston Park are the only two areas where new embankments are proposed and although in both cases,

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significant negative landscape effects are expected, they are geographically unrelated therefore the ES indicates that no additional combined effects would result. Where riverside areas are being remodelled to create improved flood conveyance corridors, a potential combined landscape effect may be a minor positive one in creating overall increase in the green infrastructure within the Derwent corridor.

In respect of tree cover it is indicated that approximately 313 individual trees and 26 tree groups have been identified for removal to enable the works to be delivered and many of the site based negative landscape effects that are identified result from tree loss associated with the alignment of the new defences. The tree stock is identified as a key physical component of the Derwent Strategic Corridor, a sub-regional green infrastructure corridor. The extent of tree removal currently shown is indicative. The extent of clearance required could increase or reduce as detailed design and detailed construction method statements are developed. The design aim throughout the project is however to ensure no net loss of quantity or quality of tree cover in the long term. Securing a net gain in tree numbers on completion of the scheme will mitigate against losses during the establishment period. If during detailed design, this appears to be not possible, it is indicated that offsite planting will need to be investigated. Besides direct tree felling, many trees will be put at risk by the proximity of construction operations. A full tree protection plan is proposed to be developed at the detailed design stage to ensure that any necessary protection is provided. A scheme wide tree management plan is also proposed to be developed and this would be the vehicle for providing an overall increase in the quality of tree cover. Based on the assumption that no net loss of tree cover will be achieved and an increase in quality is secured through the tree management plan, it is indicated that the assessment of the effect of the project on tree cover at this stage is for a low magnitude positive change and therefore minor level of significance, positive and permanent effect.

Visual Amenity

This section of the ES considers the visual effects of the proposed scheme. This is separate and distinct from the effects on landscape character and it is concerned with the extent to which views, as experienced by specific groups of people, are altered as a result of the development. The area for assessing visual amenity is defined in the ES as an area centred on the River Derwent and 1km either side of the proposed flood defences. It is indicated that this area has been refined by the production of a Zone of Theoretical Visibility which has been digitally mapped using landform data and data on the heights of structures and vegetation to represent the visual envelope within which changes in views resulting from the proposed works are likely to be perceived. This was supported by a site walkover survey. In this chapter, major and moderate levels of effect are identified as significant whereas minor and negligible effects are insignificant. It is noted that mitigation measures have already been incorporated into the design, to reduce the potential negative effects on visual amenity. The key receptors for whom representative views have been assessed for the purpose of this chapter are; pedestrians and cyclists using the network of public access routes, users of public open space, residents of private dwellings, participants

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of formal recreation, road users and indoor workers within local offices, shops and other buildings.

Likely Significant Visual Effects: Package 1 Sites

Fifty two key views are assessed across package 1 sites. No significant visual effects are indicated as being expected in relation to Darley Abbey Mills, Alfreton Road Industrial Estate, Aida Bliss, Etruria Gardens, Lower City Road, St Mary's Bridge and Sowter Road. Six of the key views were found to have significant visual effects after ten years and of these four are identified as positive effects and two are negative. They are as follows:

- Little Chester: Darley Playing Fields South – The view outlined here is that experience by users of the cycle networks and footpath on entrance to Darley Park by the community centre. The path is identified as a strong and historic landscape feature flanked by an avenue of high quality mature lime trees. The works involved in the project require the removal of three of those trees, the creation of a 1:20 gradient along the existing path flanked on one side by a 2.5m high flood defence wall. It is indicated that these works would result in a moderate negative and permanent visual effect due largely to the presence and scale of the new walls and the disruption to the strong vista and avenue that will result.
- Little Chester: Parkers Piece – The first view discussed in this area is the view from the private dwelling of Stone House Prebend, to the south and across Parkers Piece. It is indicated that it would be likely to have its existing upper floor views blocked / reduced by the proposed wall and embankment. The provision of glass panels to allow continued visibility is considered inappropriate due to the historic surrounding environment. No mitigation is suggested and the effect would remain moderate, negative and permanent.

The second view in this area relates to the view towards Parkers Piece from the ground floor windows of City Road terraced dwellings which look towards the recreation ground. The ES indicates that the flood defence wall is approximately 2.2m high and approximately 1m higher than the existing wall.. The use of structural glass panels within the upper 900mm of the wall is indicated as reducing the potential loss of view to a minimal level derived from the marginal increase in the height of the brick portion of the wall and the brick clad piers. The proposed wall would be set 1m from the line of the existing wall reducing the proximity of the wall to the properties that face it. Loss of trees is indicated as adding to the initial impact but replacement trees are proposed. It is indicated that this will generate a low magnitude and moderate negative level of significance of effect on completion. This is considered to be a temporary effect reducing to a minor (not significant), negative and permanent effect after ten years. The third view in this area are those towards Parkers Piece from the residential properties at Chester Green. They are indicated as more distant and oblique than the City Road properties and views only appear possible from upper floor windows. The visual amenity of residents is indicated as having a low magnitude negative effect on completion due to the presence of the higher wall and loss of trees. This is indicated as generating a temporary, moderate, negative level

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of significance on completion but would reduce the minor (not significant) permanent effect after 10 years with the establishment of new street tree planting.

- Little Chester: City Road Car Park – This represents the views of users of City Road car park. The proposals include extensive tree loss and a reduction in the size of the car park however existing unattractive buildings are also proposed to be removed. The loss of trees which currently enclose the southern edge of Parkers Piece would result in a temporary, moderate negative level of significance of effect on completion, reducing to permanent, minor negative and hence insignificant effect after ten years as the proposed replacement trees develop.
- Duke Street: Bath Street Mills to Britannia Court Development Site – The first view outlined in this area represents those of users of the public open space, Derwent Valley Heritage Way and the national cycle network and footpath. Loss of mature trees is identified as having a negative effect on visual amenity but will only be of a very low magnitude. This will be offset on completion by the improved form of public open space. After ten years this is indicated as becoming a permanent, moderate positive level of significance of effect as new trees and landscaping mature. As a positive effect is predicated, no further mitigation is suggested. The second view outlined in this area represents those from Rivermead House across the open space towards the proposed defences. Initially a loss of mature trees represents a negative effect on visual amenity but this will be offset by the improved form of open space which is integrated into the proposals. After ten years, as new trees and landscaping matures, this will become a permanent effect with a moderate positive level of significance.
- Duke Street: Britannia Court development site to St Mary's Bridge – The view north east across the Britannia Court development site towards Duke Street is discussed in the ES first for this area. It represents the views of users of the public open space, national cycle network and footpath. There is expected to be a permanent effect with moderate positive levels of significance on visual amenity on completion and after 10 years. This results from the replacement of the existing temporary but unsightly 'concrete canvas' flood defence wall with a new wall that will be brick and stone clad and better integrated into the open space. Tree replanting is proposed and the new wall will provide more effective enclosure of the open space than provided by the existing trees. There is also expected to be an increased visual connection with the river resulting from selective tree thinning works. As a positive effect is predicated, no mitigation is suggested. The second view in this area is the views of the users of the public open space, national cycle network and footpath at the southern end of Duke Street. There is expected to be a moderate negative and temporary level of significance of effect on visual amenity on completion due to initial tree loss. This is expected to change to a permanent moderate positive level of significance of effect after 10 years as a result of the growth and establishment of new planting, proposed open space improvements, improved connections with the river, increased separation from the road resulting from the flood

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defence wall and the wall itself providing a positive design feature. A third viewpoint in this area considers likely views from the properties at 1 to 10 St Mary's Court towards the area at the southern extent of Duke Street. No significant loss of visual amenity is expected due to the proposed use of glass panels within the new wall which will ensure that views from these properties will not be blocked or filtered. It is indicated that there will not be a significant reduction of natural light reaching the windows and the magnitude of effect will be very low resulting in a permanent, minor negative level of significance.

- Sowter Road – Two views are discussed in this area. The first relates to the views from residents windows at 31 to 38 Sowter Road. The second view relates to the UNESCO monitored view towards the Silk Mill from St Alkmunds Way road bridge. It is indicated that no change to this view is expected. The land lowering and tree removal proposed towards the north of the Silk Mill is indicated as being not visible within the monitored view.

Likely Significant Visual Effects: Package 2 Sites.

In respect of package 2 sites, twenty nine key views have been assessed in the ES and out of those, nine are identified as having significant visual effects. This chapter of the ES indicates that no significant visual effects are expected in relation to the following package 2 sites; Breadsall, Darley Abbey Mills Bridge, Riverside Gardens, Meadow Lane, Derby Junction Railway Bridge, Pride Park, Ambaston and Shardlow.

Six of the nine views that are identified as having significant visual effects relate to the site of North Riverside. The details of those views are as follows;

- The first represents the view of users of the footpath from Phoenix Street looking towards the Silk Mill. A moderate, positive and permanent effect is anticipated at completion and after ten years as a result of more open view towards the river and Silk Mill created from the reduction of intervening ground levels.
- The view of users of the footpath looking north west from Phoenix Street is indicated as experiencing a minor negative effect on completion due mainly to the loss of existing trees and views of St Alkmunds Way being opened up. Mitigation proposed includes replacement planting to form a backdrop and to screen St Alkmunds Way and sensitive design of the proposed new pedestrian bridge. If the mitigation is adopted, the level of effect after 10 years is indicated as expected to be negligible.
- The views of residents of Riverside flats are expected to experience a moderate negative effect on completion due to the proposed removal of trees which will open up direct views of St Alkmunds Way (Currently screened) from lower storey flats only. Mitigation proposals involve replacement planting and the residual effect after 10 years could be reduced to minor negative.
- The views of the residents of the Riverside flats looking along Stuart Street is expected to experience a moderate negative effect at completion and after ten years due to the visual intrusion of the new road layout. Provision of a high

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quality new public open space is expected to provide some mitigation. The resulting residual effect could be reduced to minor negative.

- For the views of pedestrians on Exeter Bridge a permanent and major positive effect is expected on completion and after ten years due to the proposed new public open space improving the appearance of a view which is currently run down and neglected.
- For users of the national cycle network and footpath, looking east from the junction of Derwent Street and Exeter Place a permanent and moderate negative effect is expected at completion and after ten years. Currently there is a well-used footpath and cycle network running through an attractive open green space adjacent to the river. A proposed new / diverted road will bring traffic closer to the cycle network and footpath and moving traffic will be evident in views from this route. A loss of mature trees will also detract from the existing visual amenity. Mitigation proposals involve the creation of a landscape buffer including tree planting between the new road alignment and the cycle route / footpath. If that mitigation is adopted within detailed design, the effect could be reduced to minor negative possibly minor positive residual effect.

Two of the views with significant effects at Mill Fleam are only expected to experience significant effects temporarily, becoming not significant after ten years. Details of those two views are as follows;

- The first view is that of pedestrians looking from Station Road and St Alkmunds Way. An extensive loss of trees on this site is indicated as having a negative effect on visual amenity. A proposed flood defence wall will become a new roadside boundary and the wall is proposed to extend up to 1.5m above the existing road level. A proposed new pumping station and concrete apron will also be visible from Station Approach and St Alkmunds Way. The new structures and existing road, which the removal of trees will expose, will create visual intrusion, increasing unwanted inter-visibility between the park and adjacent busy roads. At completion the magnitude of the effect will be moderate and negative and generate a moderate negative temporary effect. After ten years it is indicated that replacement planting will reduce the effect to minor negative and permanent. It is indicated that replacement planting has been proposed in a setback location with Bass' Recreation Ground and the new structures will remain as a visual intrusion and they will permanently puncture the existing degree of perimeter enclosure and screening.
- The second view represents pedestrians views from the footpath and local cycle network which runs alongside Mill Fleam. The footpath and cycle route is proposed to be diverted under the proposals. The new route would initially have views of the new pumping station and concrete apron and tree loss will be evident. On completion the effect is indicated as moderate, negative and temporary. It is indicated that replacement tree planting will mitigate for this effect partially screening the pumping station and will reduce levels of significance of effect to minor negative and permanent after ten years.

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The final view of the nine highlighted for their significant effect relates to Full Street: Exeter Bridge. This impacts on the views of pedestrian's tourists and visitors along Exeter Bridge towards the proposed flood gates. The retrofitting of flood gates and associated structures within a historic streetscape environment is indicated as representing a low magnitude loss of visual amenity, resulting in a moderate negative and permanent effect. It is indicated that through sensitive detailing and the use of high quality materials that this effect could be mitigated. If the above mitigation is successfully adopted at the detailed design stage this effect may be lessened to a minor negative and residual effect.

Of the significant impacts on views identified for package 2 works, only five of those identified are indicated in the ES as being expected to experience significant negative and permanent effects on visual amenity. These five views are at North Riverside and Full Street (Exeter Bridge).

Likely Significant Visual Effects: Package 3 Sites.

In relation to package 3 sites, eleven key views were assessed and three are identified as having significant negative visual effects. All three relate to the Alvaston Park site and are as follows;

- The view east from Alvaston Park towards Patterdale Road representing the views of residents of the single storey dwellings (mobile homes) on Patterdale Road. The new embankment is likely to block oblique views into the park and the effect is indicated as moderate, negative and permanent. Low screen planting is suggested as offering some mitigation as a means to soften the appearance of the embankment but it is considered unlikely to reduce the residual effect to less than moderate negative as the partial blocking of the view would remain.
- The second view is the park entrance from Meadow Lane and of residents of Alvaston Park Homes estate. A moderate negative temporary level of effect is anticipated on completion reducing to minor permanent after ten years due to the expected loss of a mature avenue of trees coupled with the alignment of the proposed embankment. It is indicated that the proposed embankment and ramp will cut off the entrance from the rest of the park, block views, look at odds with the rest of the park's appearance and design and potentially create areas that could attract anti-social behaviour. It is indicated that it may also be possible that some dwellings within the Alvaston Park Homes estate would have elevated views of vehicles as they access Alvaston Park via the proposed ramp. It is suggested that these effects may further be reduced through detailed design as consideration could be given to the replacement of embankments with walls and the use of flood gates although it is understood that there may be operational challenges to the provision of flood gates in this location. Such changes could reduce the residual effect to a minor (insignificant) level.
- The third view is that of pedestrians and park users from the entrance path off London Road. A moderate negative level of effect is anticipated on completion

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reducing to minor negative after ten years for the same reasons as those outlined in respect of view two above.

The landscape chapter of the ES goes on to consider potential combined intra-project visual effects which are those which result from the combination and interaction of individual visual effects given the extensive linear nature of the scheme and the linear nature of the receptors such as cycle networks and footpaths which follow the river corridor. In relation to single viewpoint combined effects, it is indicated that there are numerous viewpoints within the study area from which receptors will experience visual effects associated with more than one site subject to works as part of the project. They have been reviewed to consider if the combination of visual effects would create a significant additional combined effect and it is indicated that river crossing were considered as part of this assessment. The ES indicates that at none of these points was it considered that there will be a significant additional combined effect due to the limited scale and nature of the development in question. The cycle networks and public footpaths provide extensive public access though the project area and allow for sequential effects from the series of application sites. The ES concludes that although the proposals will generate sequential effects it is not considered that these will be significant. It indicates that due to the scale, design and mitigation measures proposed, the combined sequential effect is not anticipated to be very noticeable or of great interest or concern. It is also indicated that the phased delivery of the scheme would limit an accumulation of temporary scars in the vegetation lining the river corridor. A degree of this will be generated within each of the delivery packages but it is considered to be a low level of significant of effect.

The river Derwent is a route used by people engaged in recreational activity and it is indicated that it is expected that sequential visible changes would be experienced from the river. However, the magnitude of these changes would be low, resulting in only minor effects.

Soil and Land Contamination.

This chapter assesses the potential effects of the Our City Our River works on soils. Soil is considered to be all of the shallow deposits / superficial strata / drift geology down to the depth of bedrock material. It is considered in relation to land contamination only. It is indicated that the following outstanding risks and potential significant impacts related to soils are identified for the works;

- Potential for contaminated land to be disturbed and create new exposed pathways between contaminants and human and environmental receptors. This could have potential to result in significant impacts to surface water and groundwater, flora and fauna and human health;
- Potential for significant cumulative effects from the exposing of contaminated land during the redevelopment of multiple brownfield sites along the river corridor and;
- Partially restoring the natural floodplain of the river Derwent by setting back defences, to create an area of floodplain or a flood conveyance channel, may

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allow some additional infiltration following a flood event, which has the potential to increase the leaching of contamination if present within these set back areas.

It is indicated that the potential negative effects to soils were identified at an early stage and the project has been designed to avoid or minimise those effects wherever possible. As these measures form part of the design, the reduced effects form part of the baseline environment. A geotechnical ground investigation factual report has been produced and submitted with the application and a number of studies and reports are identified as providing the information sources for the assessment in this chapter of the ES. It is indicated that the majority of the project area falls within Alluvium and River Terrace Deposits with areas of shallow made ground overlying Mercia Mudstone bedrock. Within the parameters of this assessment, it is indicated that alluvium comprising clay, silt and organic soils is considered to be of low sensitivity when present in continuous bands / layers as it has a relatively low permeability due to high clay content. River terrace deposits and made ground comprising sands and gravels are considered to be of moderate sensitivity as they are highly permeable. Mudstone bedrock is considered to be of low sensitivity as it has high clay content and low permeability.

It is indicated in this chapter that a heritage of industrial land use along the River Derwent means that there are potentially contaminated sites throughout the project area with the exception of Darley Playing Fields and Little Chester. Many areas within the study area were previously occupied by heavy industry and many still contain present day industries which could pose a potential risk of a wide range of contaminants being contained within these sites. There are also a number of railway lines, historic landfill sites and gravel pits within the area.

Contamination testing has been undertaken for some areas of made ground as part of the geotechnical site investigation for package 1 flood defence works. Testing shows that there are some elevated levels of contaminants present and exceedances are outlined in the ES as an indication that contamination may be present at levels that would require further investigation to be undertaken. Where areas of medium to high risk of contamination occur in conjunction with potential impact pathways, these are identified and detailed further in the ES.

It is indicated that potential effects on soils and contaminated land are likely to originate from ground works, deep piled cut offs, shallow cut offs and setting back defences. These are considered in detail in the ES and are summarised below:

- Ground Works

The ES indicates that in respect of ground works, there will be no likely significant effects from the temporary disturbance of shallow potentially contaminated ground during excavation and landscaping works.

- Deep Piled Cut Offs

In respect of deep piled cut offs, it is indicated that there will be a localised reduction in the permeability and hydraulic connectivity as a result of the cut offs therefore resulting in a reduction in the extent of existing pathways. It is also unlikely that Mercia Mudstone bedrock holds any significant aquifers. The risk from the proposed

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ground water cut offs identified to the depth of bedrock material is therefore indicated as having no likely significant effect.

- **Shallow Piled Cut Offs**

In respect of shallow piled cut offs, these are proposed in two locations, within the Northedge and Energas areas of the Alfreton Road Industrial Estate and at Duke Street. The design in these areas is to install cut offs to approximately 2m down to clay layers along with the use of 8m long bored reinforced concrete piles at 5m intervals for stability. Within these locations, it is indicated that there is a risk of localised contamination within shallow made ground and the additional piling work for the reinforced concrete piles could present a risk for preferential pathways being created for contaminants to pass this less permeable alluvium layer. The site is indicated as being of moderate sensitivity and given the likelihood of hydraulic connectivity existing within the soil in this area and the absence of evidence of contamination during recent ground investigations, the magnitude of impact from the limited nature of the piling is indicated as very low. The significance of the effect prior to mitigation of works at Alfreton Road (Northedge) has been assessed as negligible and is therefore considered as having no likely significant effect. In respect of shallow pile cut offs at Duke Street it is assessed as likely to give rise to significant effects because recent survey works indicate that contamination is present within made ground in Duke Street. It is also indicated that there is likely to be a continuous clay / clayey silt layer present within the soil profile which could separate surface contamination from uncontaminated soil below. It is therefore anticipated that contamination or localised pockets of contamination are likely to be present within this site. The significance of the effect prior to mitigation on shallow piling at Duke Street has therefore been assessed as being moderate (significant) negative impact over a medium to long term. It is therefore recommended that within the Strutts Park area of Duke Street further contaminated land assessment is undertaken to inform design and confirm risks and impact levels within this area and this will inform the requirement for more detailed mitigation. Information in the ES indicates that it is anticipated that following further assessment and understanding of the risks and impacts any design changes considered necessary for the foundations within Duke Street will be sufficient to reduce the magnitude of impact to low and the significance of residual effects at these sites has been assessed as being minor negative and short term and therefore not significant.

- **Set-back Defences / Improved Flood Conveyance**

The sites that will have a set-back flood defence installed and have a medium to high risk of contamination being present include Etruria Gardens, part of 14-18 City Road, parts of Duke Street, Sowter Road, North Riverside, Meadow Lane, Chaddesden Sidings and Chaddesden Triangle. The Aida Bliss and Chaddesden Triangle development sites have not been considered further in this chapter given that they will be subject to detailed assessment as part of any future development works although Chaddesden Triangle is identified as the inclusion of a clay capping is embedded mitigation for the flood conveyance channel here.

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In respect of Etruria Gardens and 14-18 City Road along with Duke Street and Sowter Road the significance of the effect of the set-back area has been assessed as having a minor negative impact over a medium to long term and is therefore assessed as having a minor negative impact over a medium to long term and is therefore indicated as not being significant. A large flood conveyance corridor is proposed to be created at North Riverside and Meadow Road but given the conditions in these locations, but the significance of the effect is also assessed in the ES for this area as being a minor negative impact over a medium to long term.

Chaddesden Sidings and Chaddesden Triangle are considered to have a medium to high risk of contamination. Both of the sites are known landfill sites. Chaddesden Sidings contains a sand and gravel quarry operated by LaFarge Aggregates which accepts construction, demolition, industrial non-hazardous, inert, non-flammable waste. There is also an historic landfill on the site. Chaddesden Triangle is a modern landfill site. The proposed flood conveyance channels proposed at both sites are likely to undergo annual flooding from the River. At Chaddesden Sidings the flood conveyance channel will incorporate a clay cap for the purpose of scour protection. It will act as an impermeable barrier to flood waters entering the surface soil. Due to the incorporation of the clay cap the magnitude of impact is identified as being very low and the significance of the effect on contamination prior to mitigation has been assessed as being negligible. At Chaddesden Triangle the flood defence is proposed to involve the installation of a sheet pile cut off but a clay cap is also proposed which would again act as a barrier to flood waters entering the surface soil. The significance of effect prior to mitigation at Chaddesden Triangle is therefore also indicted as being negligible.

In respect of soil, and land contamination, the most significant effects are identified as resulting from the shallow cut off and bored pilling proposed at Duke Street.

Water, Flood Risk and Hydrogeology.

This chapter assesses the predicated effects of the proposed works on the water environment which it is indicated includes flood risk and probability (in terms of flood frequency and physical onset / extent) and water quality including the context and consideration of compliance with the EU Water Framework Directive (WFD). The WFD is an EU Directive transposed into domestic legislation by the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003. The objectives / targets required by the WFD are set out in the statutory River Basin Management Plans which were first produced in 2009 by the Environment Agency and are to be updated in 2015. The Environment Agency is the Competent Authority responsible for implementing WFD and is therefore a statutory consultee for planning on WFD compliance as well as flood risk. WFD status incorporates the ecological and underpinning physical and physico-chemical aspects or 'quality elements' of water quality. An assessment that considers each of these WFD quality elements can show how direct or indirect changes to the 'hydromorphological' (flow and morphology) and 'physico-chemical' (water quality / chemistry) conditions in a water body could affect 'biological' (aquatic ecology) receptors, including fish, invertebrates and plants. Any significant effects and mitigation specific to WFD are reported in this

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chapter of the ES. The WFD also requires consideration of hydrogeology. It is indicated that at the scoping stage superficial groundwater was highlighted as requiring further consideration in the EIA due to a lack of data and therefore certainty over potential environmental effects. Surface water abstractions were identified at the scoping stage and it is indicated that no potential effects were predicted.

The study area for this chapter is defined in detail in the ES but extends between Breadsall to the north and Shardlow to the south which is at the confluence of the River Derwent and the River Trent. Other flood risks considered as part of the development of the project are surface water flooding, flooding from groundwater and flooding from reservoirs. It is noted that the surface water network within the study area includes the river and a number of tributaries that include; Watermeadows ditch, Markeaton Brook, Chaddesden Brook, other man-made surface water drainage features including an outfall at Derwent Parade and a number of existing ponds. Two WFD water bodies were scoped into this assessment as they currently have a 'moderate' status and the WFD identifies and requires that they meet good status in a set timeframe. They both form part of the River Derwent and Markeaton Brook surface water system and are identified as Derwent – Bottle Brook to Trent and Markeaton Brook – Mackworth Brook to Derwent. WFD objectives and targets for these areas will require mitigation measures which it is indicated are under investigation by the Environment Agency and it has been necessary for those potential measures to be taken into account as part of this assessment. Given their moderate WFD status, the two water bodies are indicated as being of moderate sensitivity for the purposes of this assessment. In terms of hydrogeology it is indicated that recent ground investigation works indicate that ground water levels within the superficial geology of the area could be near enough to the surface to be effected by the works. It is noted that the project area north of Darley Abbey is within a Groundwater Source Protection Zone. Overall, superficial groundwater is considered to be of moderate sensitivity to the project.

The overall effect of this project on flood risk is to reduce the frequency and hazard flooding to sensitive receptors, whilst making better use of areas of flood inundation that do not pose a risk. The project therefore has a permanent effect, reducing flood risk at events up to and including the design standard. Modelling predicts that raising and creating new defences and changing existing defence alignments will result in an overall increase in peak water levels and flows through Derby. Impacts have been reduced by setting back defences. Any significant effects have been identified and mitigated for within the project design.

It is indicated that there is the potential for flood risk to increase during construction due to the need to remove or demolish sections of existing defences to replace or construct new ones. These can temporarily reduce the standard of protection. Measures to reduce this risk are outlined and any approach would be approved by the Environment Agency as part of their statutory Flood Defence Consent process.

Construction that involves works in the river channel has the potential to increase flood risk due to flows being blocked in the river channel but in-channel works are

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indicated as being relatively low risk and such works could be appropriately managed.

A full list of anticipated effects on flood risk and water quality arising from the works are outlined in the ES. The following is a summary of those identified as significant.

Likely Significant Effects: Flood Risk

In terms of construction effects, assuming a standard Flood Defence Consent process, there are no predicted significant construction effects of flood risk identified. In terms of operational effects, the reduction in the frequency and hazard of flooding is identified as resulting in the project having a positive, permanent effect on flood risk.

Likely Significant Effects on Water Quality

Assuming that good practice construction processes are followed, it is indicated that there are no predicted significant construction effects on water quality that will require mitigation. It is noted that ground disturbance could create pathways for contaminated substances to runoff or leach into the river during construction, particularly if any flooding were to occur. Following the review of recent ground investigation data such risks are not indicated as being significant. Residual risks would be managed through detailed design and construction techniques and therefore the impact is considered to be minor, negative and temporary.

In terms of operational effects, no predicted significant operational effects are identified. A minor negative effect is identified relative to a loss of riparian vegetation which could affect quality of the riparian zone structure and shading of water bodies. A negligible impact is identified on flows and any related conditions such as temperature on the Markeaton Brook as a result of the provision of a new off-line pumping station. A minor, negative, permanent effect is indicated resulting from the new control structure located downstream of the existing culvert out face.

Mitigation measures in respect of water quality are included in the project design and this includes suitable riparian replanting and reinstatement along with replacement tree planting. Designs for the new pumping station and any new flapped outlet structures are to confirm the requirement for fish and eel passage and screening to determine the effects on flow / continuity and will ensure compliance with the WFD. With mitigation in place, there are no predicted significant negative effects on surface or groundwater quality identified in the ES. Minor positive effects on river water bodies will result through parts of the design highlighted that contribute to WFD mitigation measures.

WFD Compliance

A preliminary WFD Compliance Assessment that has been undertaken, highlighted elements of the project that may pose a risk to WFD compliance and these have been considered further during the development of the design. No significant effects have been identified on any of the individual water bodies or quality elements and it is indicated that the project will not cause a deterioration in the status of any of the surface water bodies within the current scheme from their current condition. It is indicated that it is predicted that there will be minor positive effects on river water

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bodies that contribute to WFD mitigation measures and there is also an opportunity to reduce nutrient inputs through drainage improvements at future redevelopment sites. Further mitigation measures that will be considered as the design progresses are outlined in the ES.

Flora and Fauna

The study area for flora and fauna is defined as 1km from the project area and site surveys were undertaken between 150m and 500m from the site depending on species. Each of the identified statutory and non-statutory sites, habitat types and associated species / populations has been attributed a biodiversity value reflecting their geographic significance. Examples include; international, national, regional, borough, local, biodiversity features of value within the zone of influence (site plus approx. 250m buffer) and biodiversity features of negligible value. Biodiversity features of less than local value have not been assessed further in the ES. Biodiversity values have also been based on other factors including the presence of sites or features designated for their conservation interest, size of habitat or species population, presence of legally protected species or sites, presence of UK priority habitats and species and secondary and supporting value e.g. habitats or features which provide a buffer to valued features or which serve to link otherwise isolated features.

It is indicated that mitigation has been designed to ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2011 (as amended). European Protected Species (EPS) Surveys have been undertaken across the full project extent. It is recognised in the ES that surveys for packages 2 and 3 will need to be updated prior to construction as the 2013 surveys will be out of date. It is noted that there are no European designated sites or Sites of Special Scientific Interest within the study area.

Seven Local Wildlife Sites (LWS) are identified in the assessment. These include; River Derwent LWS, Nooney's pond LWS, Breadsall disused railway LWS, Watermeadows ditch LWS, Alferton Road Rough Grassland LWS, Darley Park LWS and Bellington Wood LWS. Chaddesden Sidings is identified as a potential wildlife site. Two Local Nature Reserves (LNR) are identified and these are Nutwood and Darley Abbey Local Nature Reserve and The Sanctuary LNR.

The following habitats are identified as being within the project area; running water, improved grassland, hedgerow with trees, scattered trees and tree lines, ruderal vegetation and scrub and standing water. These are considered further in the ES and the following is identified;

- Running water – based on the habitat of the river and the wildlife it supports the River Derwent LWS is considered to be of borough value. Watermeadows ditch is a small stream which runs from the north of the study area in Breadsall to the point of joining the River Derwent at Darley Playing Fields. Approximately the last 100m of the ditch is also referred to as the red ditch. Watermeadows ditch LWS and red ditch are assessed as having borough value. Mill Fleam is a small stream running from an under road culvert to the west of Bass's

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Recreation Ground where it joins the River Derwent. The outfall in this location supports a bat roost and although the features of Mill Fleam are not of high ecological value, in the context of the stream being tree lined and supporting a roost, it is considered to be of borough value.

- Improved grassland – agricultural and amenity grassland is found in all of the sites across the project area. Due to the nature of the grassland and being subject to intensive grazing or management, the agricultural grassland is considered to be of negligible value. Amenity grassland is present from Alfreton Road Industrial estate in the north to Alvaston Park. All the areas are managed as public amenity areas for leisure and are routinely cut and maintained therefore have negligible ecological value.
- Hedgerow with trees – Hedgerows with trees and predominately found within the rural locations of the study area. In Breadsall, to the north and west of Bookers cash and carry, they form boundaries. In Ambaston and Shardlow they are present in greater numbers and the condition of the hedgerow varies greatly. There is also a mature beech hedge which surrounds the Bowling Green at Little Chester which is suitable nesting habitat for birds. This type of habitat is considered to be of local value.
- Scattered trees with tree lines – Scattered trees and tree lines are noted as dominating much of the study area particularly in areas of amenity parkland and along the banks of the river Derwent. A number of specific areas are identified as being of value within the zone of influence. Of local value are the trees along the ditch network and to the east and south sides of Darley Playing Fields, the trees that are situated along the banks of the river from Handyside Bridge to St Mary's Bridge that are an important wildlife corridor, the tree lines immediately next to the river and along Mill Fleam (identified as good commuting and foraging habitat for bats and birds) and scattered trees along both sides of the river bank downstream of Derby Junction Railway Bridge.
- Ruderal vegetation and scrub – They are present along much of the banks of the river and other watercourses throughout the study area. At Chaddesden Sidings, the ruderal vegetation and scrub extends away from the river and follows tracks and footpath edges. The areas are suitable for nesting birds and reptiles and the habitat is considered to be of value within the zone of influence.
- Standing Water – A number of open water ponds are identified within the study area of varying size and ecological value. Two within Shardlow and two within Ambaston, along with a pond at Chaddesden Triangle are identified as having a value within the zone of influence. Two further ponds at Chaddesden Sidings are identified as being of local ecological value and the Watermeadows Ditch Local Wildlife Site Pond is identified as having borough level ecological value.

In respect of individual species, the following ecological values are identified in the ES:

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- Bats – It is noted that the study area is a significant size and therefore provides many areas of suitable foraging, roosting and connecting habitat. There are two known bat roosts within the proposed working area and these were confirmed during surveys carried out in 2013. These are within the Mill Fleam culvert and a tree in the north of Ambaston village. Surveys have indicated the habitat of mature tree lines and scattered trees that is present through Alfreton Road Industrial Estate and Little Chester and which continues along the banks of the River Derwent through the city centre provides, important foraging habitat and connectivity to feeding areas for bats. Species recorded included common pipistrelle, soprano pipistrelle, Daubenton's and noctule. The known roosts and the supporting feeding / flight corridors are considered to be of borough value.
- Otters – Records from 1970 and 2011 show otters to be present along much of the River Derwent throughout the study area. There are records in the north of the site at Breadsall, near to St Mary's Bridge, several records near to Raynesway and two records at Ambaston village. An otter spraint was recorded during a survey at Darley Abbey Mills Bridge in 2013. However, no holts or resting places have been identified in areas affected by the works. The otter population is considered to be of borough value.
- Water voles – There are records of water voles in the study area at Breadsall, Watermeadows Ditch and Riverside Gardens. There are also records on the river Derwent at Ambaston. During the Phase I habitat survey, it is indicated that only Watermeadows Ditch was assessed as having the potential to support water voles but during the 2013 survey, no evidence was found. The ES therefore concludes that water voles are currently considered to be absent but if found during later phases would likely to be of borough value.
- White-clawed crayfish – There are historic records which show white-clawed crayfish being present in several locations across the study area. However, during 2013 surveys, no evidence of white-clawed crayfish was found along Watermeadows Ditch and habitat was considered sub-optimal. White-clawed crayfish are therefore considered to be absent but if found during later phases they would be likely to be of borough value.
- Fish – There are records of coarse and salmon fish on the river Derwent LWS. The river has several structures and weirs which create barriers to fish movement, however, the Environment Agency have projects that are currently improving the ability of eel and fish passage on the River Derwent. Routine monitoring undertaken by the Environment Agency indicated the presence of bullhead, European eels and brook lamprey many of which are used for the Water Framework Directive UK Technical Advisory Group Fisheries Classification Scheme. Brown trout have also been recorded. Additional notable protected species in the River Derwent include spined loach, brook lamprey and Atlantic salmon. Notable species found during the 2013 surveys of Watermeadows Ditch were brown trout and bullhead, both protected under Annex II of the European Habitats Directive. Although the movement of fish on

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Watermeadows ditch is limited, it does connect without barriers to upstream ditch networks. It is therefore considered possible that without physical barriers to passage, the protected spined loach, brook lamprey and Atlantic salmon could also be present within Watermeadows ditch as they have been recorded on the Derwent. Fish are considered to be of borough value within the study area.

- **Badgers** – Some of the habitats within the survey area are identified as possibly providing a foraging resource for the local badger population. However, the lack of field signs indicate that they are irregularly used and the site is likely to form part of a wider foraging resource. The areas where badgers could forage and have active setts are the rural zones of Breadsall, Ambaston and Shardlow. No field evidence of badgers was found during the survey however, there are desk study records of badgers in the Ambaston and Shardlow areas. In addition, badgers are a common species and protected against persecution. As such, the species is considered to have local value at Ambaston and Shardlow. Badgers are identified in the ES as being currently absent from the city centre survey area.
- **Birds** – The ES indicates that the habitats present within the survey area were not considered to be species rich. In the wider landscape and owing to the size of the study area, the habitats have significant value for birds. Song thrush, reed bunting and bullfinch are identified as likely to utilise some of the habitats across the study area and have been recorded in the past. In addition to the birds in the desk study, swift nesting sites and sandmartins were noted during the Phase 1 Habitat Survey at Chaddesden Sidings / Pride Park. There are records of kingfishers which are a schedule 1 species listed in the Wildlife and Countryside Act 1981 (as amended) using the river and the ditch networks. None were identified during the survey but it is noted that staff at the Environment Agency observed kingfishers using Chaddesden Brook outfall and flying close to Holme Nook and along Watermeadows Ditch in the summer of 2013. Much of the riverside vegetation is suitable for low nesting birds. Whitethroats, wrens and dunnocks were observed at Derwent House and Pride Park. Some open undisturbed grassland and arable fields have potential for use by birds such as lapwings and skylarks. Chaddesden Sidings provides suitable habitat for ground nesting birds with recent observations of displaying lapwing and skylark. Historic records of species including grey partridge have the potential for little ringed plover have also been highlighted at this site. It is indicated that records of birds are considered to be of borough value across the study area.
- **Reptiles** – Suitable habitats for reptiles, although present are indicted as fragmented and therefore limited in extent. Much of the suitable habitat, such as areas of scrub, is separated by roads or surfaced footpaths / cycleways. The exception to this is identified as Chaddesden Sidings and Chaddesden Triangle areas which offer large, undisturbed area for use by reptiles. The ES indicates that any reptile populations are likely to be small and are considered to be of

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value within the zone of influence only with the exception of Chaddesden Sidings and Triangle where if confirmed present, could be of borough value.

- Great crested newts – There is a historical record of great crested newts at a pond in a private garden in Ambaston. A survey of this area is indicated as being performed prior to the commencement of works within Ambaston village. With the exception of that pond which could not be accessed a survey in 2013 concluded that ponds and terrestrial habitat features of the study area are poor quality and unlikely to support great crested newts at all life stages. If confirmed present, a population of great crested newts is likely to be of borough value.
- Aquatic ecology – Invertebrates, macrophytes, fish and other aquatic species have also been considered as part of the Water Framework Directive Assessment process.

It is indicated in the ES that all ecological receptors considered in the baseline with a local value or above have been assessed against the scheme for likely significant impacts. For those with a likely significant impact, prior to mitigation, has not been identified, these will be subject to environmental management and good construction practice but are not assessed further as part of this chapter of the ES. These include species which are currently considered to be absent i.e. badgers, white-clawed crayfish, and water vole. After assessing the impacts, only those receptors which could be significantly impacted by the scheme, prior to mitigation are considered further and these are, breeding birds, roosting bats and reptiles.

Likely Significant Effects: Breeding Birds / Loss of Suitable Nesting Habitat for Kingfishers and Sandmartins.

At Chaddesden Sidings sections of the riverbank have the potential to support nesting sandmartins and Kingfisher. It is indicated that the works will result in impacts for the breeding habitats for those birds. Such an impact is identified as moderate, negative and permanent. Following mitigation, the residual effects are identified as minor negative and short term as nesting habitat will potentially be disrupted for a season and mitigation will ensure no actual disturbance to actual nests.

Likely Significant Effects: Birds – Destruction or Disturbance Of Nests

There will be a requirement for vegetation, scrub and tree clearance prior to construction works commencing across the entire project area. In particular at Chaddesden Sidings where significant tree removal and earthworks are necessary, a range of ecologically diverse habitats support a variety of nesting bird species including ground nesting birds. Clearance works at all potential breeding sites could result in the destruction or disturbance of nests. The impacts of this are outlined in the ES as moderate, negative and medium term. Mitigation measures involve the works being carried out outside of the bird nesting season and it is indicated that a site specific ground nesting protocol will be developed for Chaddesden Sidings. It is therefore indicated that there would be no significant residual impacts anticipated.

Likely Significant Effects: Bats – Disturbance Of A Bat Roost

During the construction period there are trees felled as part of the works and works will be carried out to other trees that are proposed to be retained. Works to St Mary's

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Bridge, while not confirmed to support a bat roost could support bats in the future. Works are also planned in the vicinity of a known roost at Mill Fleam culvert which could potentially disturb a maternity roost of Daubenton's bats. Prior to mitigation, such impacts are identified as moderate negative and short term (disturbance) and permanent (tree loss). The ES outlines a series of mitigation measures which includes the provision of up to date survey information and minimising noise and light pollution during construction. Reinstatement proposals which include tree planting are also outlined and the residual impacts identified are minor negative and medium term.

Likely Significant Effects: Reptiles

During construction, the extensive earthworks at Chaddesden Sidings are identified as affecting a large area of habitat that has the potential suitability for use by reptiles. Prior to mitigation, impacts are considered to be moderate, negative and long term. It is indicated that surveys will be required two seasons prior to when construction works are planned at Chaddesden Sidings and if no reptile population is found, mitigation will be agreed with Natural England.

The mitigation outlined is suggested to include suitable reinstatement of habitat for a reptile population to be maintained in the area and habitat manipulation and destructive searches or capture / release. The residual impact is identified as minor negative and medium term.

Likely Significant Effects: Chaddesden Sidings pLWS

During the construction of package 3 works Chaddesden Sidings will be subject to extensive earthworks. This will affect a large area of habitat within this potential local wildlife site including two ponds, swamp, wet woodland and grassland habitats. Prior to mitigation, the impact of the works are considered to be moderate negative and long term. Operational impacts are identified as also resulting from the expected annual flooding of the new flood conveyance corridor. It is indicated that the design has been developed to meet the objective of recreating ecologically diverse habitats on site, however, this may differ slightly from those presently available. Prior to mitigation the impact of the works are considered to be moderate negative and long term. Detailed mitigation measures are outlined but the significance of the residual effect is maintained as moderate, negative and long term. It is indicated that upon completion of the works, an appropriate management strategy will be implemented to improve the ecological value of the site.

The topic areas of the ES that are considered above have been summarised in full and the summary of other topic areas will be sent out in a separate document that will also include the Officer Opinion section of the report. The remaining topic areas of the ES that will be summarised in that separate document includes, traffic, transport and air quality, human population, resource use and waste management, environmental enhancements and cumulative effects.

5. Publicity:

The planning application has been subject to three separate rounds of publicity following the receipt of revised plans and additional / amended information during the course of the application. The three consultation periods were in April, July and September. On each occasion, the application was subject to the following publicity;

Neighbour Notification Letter – 946 individual letters

Site Notice – 63 displayed on street furniture in areas surrounding the application site

Statutory Press Adverts

Other – The applicant has carried out the following communication in addition to the statutory requirement for consultation:

- Initial five public information sessions held primarily in the detailed application proposal locations including Darley ward and a dedicated session for the residents in South Derbyshire in Elvaston. A further information session was held at the Council House following an extension to the original consultation period.
- Press releases issued and details covered by Derby Telegraph, Radio Derby and East Midlands Today.
- A further three public information sessions held in the Council House and Darley ward following the second round of statutory public consultation. Dedicated meeting with South Derbyshire District Council representatives to discuss concerns.
- Attendance at Darley Neighbourhood Board and Forums.
- Updates on the Our City Our River web page and Derby City Council events page.
- Updates on Our City Our River facebook and twitter accounts.

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

6. Representations:

In response to this planning application, 60 representations have been received. They include 4 letters / emails of support, 20 letters / emails of comment and 36 objections. An objection to the application has also been received from Councillor Carr.

Three letters / e-mails have been received in support of the planning application. Those who have written in support have indicated that the proposed flood defences are supported, that they should have happened sooner and would provide reassurance for those in the City who live under the continual potential threat from seasonal flooding and the damage and costs resulting from that. One supporter of the scheme indicates that the Chester Green area has been in a planning and social blight for some years and safety from the river would enhance this strong community

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**Type: Hybrid – Full (Reg 4)
and Outline elements**

6. Representations:

greatly. Two issues of note are raised by those who have expressed support for the application and they are as follows;

- That conditions should be imposed to ensure that a form of flood defence is delivered across the former Britannia Court site if development does not happen before the appropriate phase of the OCOR project is completed;
- That some replacement planting should be undertaken for the trees lost at City Road as they provide a roosting place for a large number of Starlings.

In response to this planning application, 20 letters / e-mails of comment have been received. These include comments received on behalf of Little Chester Residents Association, the Chester Green Community Centre, the Darley Abbey Society and Derwent Valley Cycling Group. The comments received are varied and detailed but the nature of the issues raised generally relates to the following:

- Concerns regarding the loss of the street trees in City Road and this being detrimental to the character of the area.
- It is suggested that the lack of replacement tree planting and the desire to protect archaeology needs to be balanced against the benefits arising for those people who live in the local area of Chester Green.
- The use of Little Chester as a green space asset for the whole of the City is indicated and tree loss being unacceptable for the environment and wildlife and without replacement planting, the works would significantly alter the character of the area.
- Concern with regards to a lack of information and timescales for development on the Aida Bliss site.
- Concern that the defences on Aida Bliss will not be suitable for the industrial heritage of the buildings and the Council having shown disregard for architectural or historic structures in other areas of the City.
- The scheme being meaningless and unfit for purpose if there are no plans or timescales in place for the works on the development sites.
- The suggestion that the lack of information relative to the development sites means that it is difficult for residents to understand the overall impact of the Our City Our River project.
- Concern that the development sites are subject to outline planning permission only with the suggestion that no funding is in place for delivery of defences across them which will encourage a need for high rise development to support the cost of delivery.
- A resulting loss of parking spaces in the Little Chester area being unacceptable during the week and at weekends leading to increased pressure for on-street parking and disruption for residents. It is suggested that insufficient parking will

6. Representations:

remain for sports events at the weekend and events such as the Darley Park Concert.

- Safety and lighting highlighted as a concern given changes being proposed to the changes proposed to the pedestrian access routes to the river near to Handyside Bridge.
- The demolition of an area of garages in Little Chester to provide space for construction vehicles and materials, the potential for this to impact on parking provision locally and uncertainty over future use of the land.
- Vehicle access into the new parking area off Old Chester Road conflicting with pedestrian and cycle routes, causing a safety risk for park users.
- The circular design of the car park off Old Chester Road providing a circuit with no speed restrictions, thereby attracting anti-social behaviour and a nuisance for local residents.
- Concern over access to property and sites during the construction works and what provisions will be put in place for people to park, if access to existing parking areas is restricted.
- The close proximity of the proposed flood walls being too close to the listed Derwent House and Stone House Prebend thereby having a negative impact on their character and setting and resulting in potential damage.
- The extensive use of brick clad flood walls in the Chester Green area being detrimental to and out of keeping with its character and conservation area. It is suggested that defences designed as grass bunds and banks should be used more widely in this area.
- The submitted plans failing to recognise the significant history and heritage of Chester Green.
- The use of extensive brick walling in the Little Chester area creating a barrier between the river and residents.
- The long term durability of brick clad flood walls are questioned.
- The high flood walls being proposed on the entrance to the Darley Playing Fields being unattractive, overbearing and a crime risk. A need for an alternative solution is suggested.
- The proposal to include public art on the new flood wall alongside Parkers Piece being inappropriate and unnecessary. Assurances are sought on the quality of public art being pursued.
- It is suggested that the wall will be so high alongside Etruria Gardens that people won't be able to see through the glass panels on the top and bigger sections of glass should be used to enable better views of the river and wildlife.

6. Representations:

- It is suggested that the land on the riverward side of the flood wall should be managed and maintained by the Environment Agency who should also be responsible for the maintenance and cleaning of the wall.
- The lack of a riverside path between the new flood defences and the river at Etruria Gardens is supported.
- Significant noise and disruption resulting for local residents during the construction works and the need for techniques and materials to be used that minimise, disruption, noise and damage. Concern is expressed that a lack of care and disregard for local residents has already been shown by the project as grass areas have been poorly replaced and sections of fencing left on site following recent excavation works in the Chester Green area.
- Following any improvement works to Darley Abbey Bridge, consideration should be given to providing traffic lights to assist traffic flows and safety across the bridge.
- Safety concerns with regards to the Darley Abbey Mills Bridge are highlighted indicating that it is in a poor condition and that there is unknown security for a gas main service pipe that crosses the bridge and uncertainty with regards to any other service pipes that it may support.
- It is recommended that as any plans for detailed works involving the Darley Abbey Mills Bridge should take into account service pipes, the current poor provision for pedestrians and the obstruction that the iron columns provide to river bourne debris following heavy rainfall. It is suggested that this should be addressed in any future design works for the bridge along with a need to address anti-social behaviour attracted by those climbing on and jumping from the bridge. A design to achieve a solution that doesn't attract graffiti and is in keeping with the Darley Abbey Mills is supported.
- It is suggested that there has been a lack of communication about the project for residents in Haslams Lane and Folly Road.
- It is suggested that houses in Haslams Lane are 1m lower than Folly Road so more at risk if water comes over the flood bank. It is questioned whether this has been taken into account.
- Concern with regards to St Mary's Court (Duke Street) being used by people as a cut-through rather than the appropriate footpath being used and the alignment of the flood defences making this worse. It is suggested that the Council should pay for controlled entry devices for residents of St Mary's Court.
- Concerns with regards to the replacement of the Chester Green community centre garden to a suitable standard following the works and the need for a timetable to be set out to enable the community centre to advise users of any disruption.

6. Representations:

- A number of questions are raised including issues relating to access, site security, health and safety and impacts on on-site operations for the Energas Ltd site on Haslams Lane. It is suggested that planning conditions should be used to control these matters for the benefit of the continuity of the business operations taking place on the site.
- The maintaining of existing trees along the boundary between the Veolia ES (UK) Ltd site on London Road and the neighbouring park where new defences are proposed, being supported as it is indicated that the trees provide an effective screen along the boundary.
- It is suggested that in the Chaddesden Brook area, a number of access points to the river have been fenced off and the Earl of Harrington angling Club have rights to fish in those areas. It is requested that those angling points be reinstated.
- It is indicated that the flood improvement works should take account of the needs of the Derwent Valley Cycleway, taking into account where cycleways exist and where new routes are planned. As part of the works it is indicated that any opportunities to offer improvement to those cycleways, should be explored.
- Concerns with regards to potential damage to buildings, footpaths and roads as a result of construction and piling works are raised with assurances sought that measures will be in place to rectify any damage resulting.
- Questions with regards to the provisions that have been put in place for the long term maintenance of the glass panels that will form part of the flood defences and a need for them to be vandal proof.
- The suggestion that the walls will attract vandalism and graffiti and it is questioned how this will be managed.
- The plans submitted with the planning application being fragmented and hard to navigate.
- The application providing limited evidence of how the impact and risks of changes between areas has been considered.

A total of 36 letters and e-mails of objection have been received in response to the application. It should be noted that some who have objected to the application indicate that they support the principle of new flood defences for the City but object to the specific details of the application. Many of the issues raised in objection are similar to the issues raised by many who have offered only comment on the application. The nature of the issues raised in objection to the application generally relate to the following;

- The information and documents supporting this planning application being too numerous for members of the public to go through

6. Representations:

- The suggestion that consideration should be given to traffic light controls as part of the works at Darley Abbey Mills Bridge to reduce danger and congestion in the area
- The proposals for the inclusion of art work on the flood walls at Parkers Piece being potentially detrimental to the Conservation Area and an unnecessary expense
- The loss of natural defences in Chester Green and their replacement with artificial defences
- The area being too vast to rely on man-made flood defences as they will be pointless and ineffectual
- The existing defences in Little Chester providing to be effective and so the need for new defences is questioned
- It having been shown that constructing walls and buildings accelerates the flow of water by creating an unnatural channel and may exacerbate flooding problems downstream
- Residents of Chester Green indicating that flooding of the area has historically resulted from other sources and not the river
- That Chester Green should be kept green and too many walls are being proposed
- The walls being a canvas for graffiti
- The glass panels should be vandal proof and self-cleaning
- Unsurveilled areas resulting from the walls becoming neglected and misused
- The aesthetics of the Conservation Area should be taken into account over cost and maintenance issues
- Brick walls will look ugly making Chester Green look like a housing estate rather than a historic green area
- The walls being oppressive and a feature that local residents have to live with every day
- The walls alongside the entrance to Darley Park being unattractive and overbearing and a different solution should be considered
- The flood walls being detrimental to the character of the Chester Green Conservation Area
- The area of Chester Green having low crime rates so walls should not be introduced which will encourage crime and anti-social behaviour
- The loss of trees particularly on Parkers Piece / City Road being detrimental to the character of the area and surrounding Conservation Area.

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- Replacement trees being proposed to hide an ugly flood wall resulting in a loss of light for local residents
- A loss of view for local residents as a result of the works at Parkers Piece and this view being one of the reasons that many people live there
- New flood defences on Parkers Piece, Darley Playing Fields and around Stone House Prebend should be embankments and not walls
- The plans for Darley Playing Fields being excessive as there is no firm evidence that the Alfreton Road buildings are at the threat of flood.
- The suggestion that the wall at Darley Playing Fields will not offer any additional protection than that offered by the existing embankment
- It would be better to increase the height of the existing embankment at Darley Playing Fields rather than building a wall
- The defences at Darley Playing Fields being excessive and a potential eyesore in this beautiful location
- The suggestion that no consultation has been undertaken with residents of Magnus Court
- The suggestion that potential flood risk impacts are accepted rather than having to suffer the impacts of a new flood wall
- Cricket having not being played on Parkers Piece for the last two years so why should the pitch limit the options for a flood embankment to be accommodated
- Concern with regards to noise, vibration, general disturbance, traffic and a loss of parking resulting for residents during the construction works. One objector raises particular concern given that they are a night worker and therefore regularly sleeps during daytime hours
- Reducing parking spaces in City Road making existing parking problems worse
- The removal of garages and parking for construction vehicles will remove parking for residents.
- The new parking and access arrangements at Little Chester having a negative impact on visitors and cyclists at Darley Playing Fields
- There having been a lack of thought given to how the proposals will impact upon local residents
- Objections raised to the influence of stakeholders on the alignment and design of the defences and their views being taken over that of local residents
- The suggestion that there must be an alternative to blighting the Chester Green area with walls
- The suggestion that residents of Chester Green have to comply with the special requirements for works to their dwellings as they are in a Conservation Area so

6. Representations:

why shouldn't the funding be spent on works to individual dwellings which offer flood protection measures

- Archaeology in the area being used to dictate how people in the local area will live now and in the future
- The suggestion that hiding the Roman and Railway history of the Chester Green Conservation Area under concrete shows that the Council do not care about the long term beauty of the town and is only concerned with profit
- The submitted plans failing to address the importance of the listed buildings in this area
- The extent of tree loss around Stone House Prebend being uncertain
- Concerns relating to the potential for the works involved with pile foundations causing damage to the historic buildings at Derwent House and Stone House Prebend
- Clarity is sought with regards to potential leases being offered to the owners of Stone House Prebend and Derwent House relating to the land inside the flood walls that is outside of the property owners ownership
- Clarity on the position of the gate between Stone House Prebend and Derwent House is sought
- The suggestion that compensation measures are needed for the loss and damage to garden areas, plants, pathways and existing garden buildings within the curtilage of Derwent House that could be effected by the works
- The local community centre at Chester Green suffering a loss of part of its garden and a new wall being located in very close proximity
- Uncertainty over timescales for the works to be delivered on the development sites
- Concern over the uncertainty of building heights for the buildings on development sites
- Concerns with regards to future development on Aida Bliss and City Road being high rise and inappropriate for the Little Chester area and Conservation Area
- There being a danger resulting from a potential lack of funding given the link between the flood defence scheme and private investment needed to bring the development sites forward
- Concern that developers of the development sites will be able to hold the scheme to ransom
- Works on the development sites should not be subject of outline planning permission only as the works across those sites are vital to protecting lots of residents against flood risk

6. Representations:

- That a suggested land exchange between Aida Bliss and the car park adjacent is unacceptable and parking is needed for the local area
- The plans giving no assurances that the historical façade at Aida Bliss will be retained
- More detailed being needed, particularly in response to development sites to ensure that residential amenity and the character of the wider area is protected
- The pressure for high rise and high density development on the development sites being contrary to the history and heritage of the Chester Green area and the area not needing any more flats or traffic on City Road
- The suggestion that the Aida Bliss factory site should be retained in its current state
- The glass panels being proposed at Etruria Gardens being useless as residents won't be able to see through them and that the size of the panels should be increased
- The loss of a picnic area at the side of Etruria Gardens being unreasonable as it is valued
- The proximity of the wall at Etruria Gardens being too close to the residential properties resulting in a loss of amenity
- The project title being Our City Our River therefore the Council should listen to residents.
- The proposals resulting in the demolition of an existing business at 2C City Road which has been developed at great expense to the landowner. It is indicated that the publicity relating to the application has had adverse implications for the tenant and has blighted the site resulting in it becoming sterile.
- Uncertainty over the success and need for the proposed defences. It is suggested that many significant spells of rain in recent years have not lead to any flooding
- The money proposed to be used to deliver the defences could be invested in a flood warning system and used for clean-up operations
- The suggestion that at times of austerity, so much money should not be spent on a project that will not guarantee public safety
- A lack of consultation with the Furnice Inn Public House being unfair and unreasonable
- The loss of the access gate between the Furnice Inn Public House and the river being unreasonable, leading to a loss of passing trade and access that can be used for evacuation during an emergency

6. Representations:

- The loss of the boat slipway and land owned by the Furnice Inn Public House being unacceptable as it is an asset for the pub
- The proposals impacting negatively on residents and visitors to the city as it will become segregated from the river
- Along Duke Street the riverside footpath is already subject to anti-social behaviour and the proposals will make this worse
- The loss of an existing rear access gate to 39 Duke Street being unacceptable and detrimental to the enjoyment of the property and that compensation is necessary for this loss
- The height of flood wall being proposed having a negative impact on 39 Duke Street in respect of south facing windows at the rear of the property
- The proposed demolition of Crompton House being significant and detrimental to the RBS (Royal Bank of Scotland) business that occupies it
- That greater efforts should be made to retain Crompton House and this should include a detailed assessment of all reasonable alternatives in accordance with policy E19.
- 69 employees are employed at Crompton House and it is a well utilised building and the proposals would provide uncertainty for the existing business and its employees.
- Objections have been submitted on behalf of Methodist Homes whose Head Office is at 3 Stuart Street, in the North Riverside Area. They object on the grounds that properties including their own will be more at flood risk once the defences are in place and the area becomes a flood conveyance corridor.
- It is suggested that all properties in the North Riverside area should be protected from flooding and consideration should be given to alternative options in this area. This is indicated as being important given that information supporting the application indicates that the line of the flood defences has been based on regeneration aspirations and not for flood defence purposes
- The provision of an urban park in the North Riverside area is misguided and alternative options should be considered which may allow the riverside properties on Stuart Street to be afforded some protection from flood risk
- Methodist Homes employ 80 people at Stuart Street and contribute to the local economy and the works at North Riverside will provide uncertainty and blight given the uncertainty for businesses and landowners
- Rolls Royce has indicated that the area where the works are proposed to the west of Raynesway, an elevated footpath is proposed where there is not a path already. Whilst Rolls Royce indicate that they support the improved flood protection offered by the application, they are concerned that improving public access may lead to security risks

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6. Representations:

- The proposed works to the flood embankment at Ambaston being inadequate to provide the necessary levels and freeboard allowances set out in historic section 106 agreements
- Whether the peak flow calculations for the works at Ambaston have allowed for an increase of 20% for climate change
- The extent of the flood defence between the Full Street development site and Cathedral Green not being representative of the position of the tie in on the ground
- No consideration having been given to the potential for flood water to reach the houses on the City Point development at Alvaston
- It is questioned why Alvaston Park is proposed to have a natural flood embankment but Darley Park is proposed to have a flood wall

Councillor Carr has submitted an objection to the application. Councillor Carr has indicated that he objects to the closure / diversion of National Cycle Route 6 between Holmes and Exeter Bridge from the North bank to the Council House side of the river. Councillor Carr has indicated that this diversion would affect those persons coming from the area of the Pentagon. The reasons outlined in the application for works in this area are not considered by Councillor Carr to provide sufficient justification to warrant closing this important connection.

7. Consultations:

CAAC:

The Committee considered the original application submission at the meeting held on 28th May 2015. The Committee resolved to accept the report in principle and with reservation but recommended the following;

- 1) The extent of the walling proposed in Little Chester is excessive. The Committee recommended reducing the amount of walling and raising the grassed bunds in the north-west and greater use of landscaping to hide the wall.
- 2) There was objection raised regarding the setting of the listed building due to the closeness of the location of the wall to the west of Stone House Prebend property which is a listed property.
- 3) The Conservation Area Advisory Committee suggested that there be much more design input into the scheme as they feel the aesthetics need to be looked at. It was raised that the materials used need to be carefully considered – the importance of the brick and stone choice and their need to relate to their context.
- 4) All trees that are removed from the Little Chester section are replaced at a ratio of three replacements for every tree that is removed.
- 5) The committee object to the proposal's need to demolish two locally listed buildings in the north riverside area and questioned whether a third would also

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7. Consultations:

be affected. It was suggested that this area be re-looked at and the possibility of water being directed in underground tunnels instead. It is hoped that the buildings in question can be retained.

- 6) The Committee strongly objected to the alignment of the tunnel at the north end of Little Chester. They suggested that this should be removed and an entrance be made a focal point of.

Following the receipt of revised plans, the project was presented to the Committee again, at their meeting on 30th July. The committee were supportive of the level of amendment and improvement made to the proposals and resolved the following:

- That there be much more design input into the scheme as they felt the aesthetics need to be looked at further. It was raised that the materials used need to be carefully considered– the importance of the brick and stone choice, the bond used in laying brickwork and their need to relate to their context.
- To object to the current proposal's need to demolish two locally listed buildings in the north riverside area and questioned whether a third would also be affected. It was suggested that this area be re-examined and the possibility of water being directed across the area in underground tunnels or open storm culverts instead. It is emphatically hoped that the buildings in question can be retained.

Highways DC:

The following highway comments refer only to those elements of the scheme which fall within the boundary of Derby City Council and are based on the information provided by the drawings. The scheme is to be delivered by Derby City Council consequently there is no need for any agreements under S278 Highways Act (as amended) because in the capacity as the local highway authority the applicant has the power to make changes to the public highway. For the avoidance of doubt the following comments do not consider any impact on highway drainage and/or the physical design of the flood alleviation scheme, including the suitability of the proposed structures, for information about these elements please see the comments from Land Drainage.

- Alfreton Road Industrial Estate (North) -No highway impact.
- Alfreton Road Industrial Estate (Central) - Suggested Note to Applicant - The proposed flood gates on Haslam's Lane are located in private land and consequently the street owner's permission will be required to construct the proposed flood gates.
- Alfreton Road Industrial Estate (South) - No highway impact (see previous comments on previous drawing)
- Little Chester (North) – No highway impact.
- Little Chester (Central) Proposed Layout – No highway impact.

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- Little Chester (South) - Comment - The steps at the southern end of the car park do not allow for disabled persons, a ramp may be a better option. The proposed highway works will be undertaken using DCCs highway powers.

Suggested Conditions

Prior to work commencing on any part of the scheme shown on Drg No 16 (108907-91423 Rev D) Little Chester (South) details of the following shall be submitted to and approved in writing by the LPA;

- a. the treatment to guard against the drop either side of the footway/cycle ramp;
- b. control measures for cyclists emerging from the ramp onto City Road, including pedestrian/cyclists inter-visibility with the exit from the car park

Reason

In the interests of highway safety

- Duke Street (North) – The proposed highway works will be undertaken using DCC's highway powers.
- Duke Street and Sowter Road - A section of the riverside footway will need to be stopped up as a consequence of the works. Suggested Note to Applicant -

Any part of the existing public highway which it is proposed is to be stopped up will be subject to the process as defined by S247 Planning Act 1980 (as amended). Any area of highway to be stopped up will require the consent of the Highway Authority.

- Aida Bliss - See comments provided for Little Chester (South)
- Etruria Gardens – No highway impact.
- Lower City Road – (See comments provided for Duke Street and Sowter Road)
- St Mary's Bridge – As above.
- Full Street and Exeter Bridge - No objection to the principle of the proposals subject to the approval of detailed design. It should be noted that the detailed design will need to include amendments to Traffic Regulation Orders (TROs), existing bus stops and servicing areas. It should be noted that any changes to TROs involve a public consultation process that can attract objections and is therefore not certain. It is also considered that the proposed footway/cycleway connection to the north of the proposed ramp should be widened.
- Riverside Gardens – No highway impact.
- North Riverside Proposed Layout - The indicative proposals shown on the above plan involve significant changes to the public highway network, as follows:
 - a. involves parts of the network having highway rights removed;
 - b. a significant impact on a busy route and on-street parking bays.

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My understanding is that the existing indicative proposals are likely to be subject to significant change as a new master plan for the area is to be commissioned; therefore I would suggest the following planning condition.

Suggested Condition

No development shall be undertaken within the North Riverside section of the Our City Our River Scheme, unless or until details of the proposed scheme including any proposed changes to the highway network have been submitted to and approved in writing by the LPA.

Reason

In the interests of highway safety.

Suggested Note to Applicant

Any part of the existing public highway which it is proposed is to be stopped up will be subject to the process as defined by S247 Planning Act 1980 (as amended). Any area of highway to be stopped up will require the consent of the Highway Authority.

- Meadow Road and Mill Fleam Outfall - The proposed highway works will be undertaken using DCCs highway powers.

Suggested Note to Applicant - DCC's emergency plan relies on support from Trent Barton and the above proposals should be discussed with DCC emergency planning team.

- Pride Park – No highway impact.
- Chaddesden Sidings – No highway impact.
- Chaddesden Triangle – No highway impact.
- Alvaston Park – No highway impact.

Recommendation:

No highway objection subject to the conditions and notes outlined above.

Built Environment (Conservation Officer):

Following the receipt of additional information and revised plans, the Conservation Officer has advised as follows:

In summary a large number of heritage assets are impacted - a large area of the scheme is located within the Derwent Valley Mills World Heritage Site (DVMWHS) and its buffer zone, there are three Scheduled Ancient Monuments directly affected by the proposals, it also has impact on Nationally important listed buildings grade I, II* and grade II (both directly proposing alterations to them and also in relation to their setting). The site area also runs through and has an impact upon a number of conservation areas; including Darley Abbey Conservation Area, Little Chester Conservation Area and Strutt's Park Conservation Area. The proposals also proposes the demolition of two locally listed buildings; Compton House (a 1938 commercial building which has a smith of derby clock to facade), Exeter House Flats (1 - 45 Exeter Place built in 1929 by Derby's first Borough Architect C. H. Aslin and

7. Consultations:

listed as one of the first examples of city centre public housing) and may affect the setting of Folly Houses.

Breadsall- Alferton Road Bridge (Drawing 06)

Alferton Road Bridge has been recently listed grade II so any physical alterations to the bridge will need listed building consent prior to the works being undertaken. The drawings mention that a temporary flood defence is proposed to be deployed in the event of a flood across the width of the railway track and alongside the bridge and temporary flood defence to be deployed in the event of a flood. Is the measure going to be attached to the bridge? I suggest more information on these proposals, at a later date, are submitted to assess whether listed building consent is required.

Darley Abbey – General Arrangement (Drawing 07)

This plan shows an area within the Derwent Valley Mills World Heritage Site which includes a number of listed buildings (grade I, II* and II) and the Darley Abbey Conservation Area. The bridge (discussed below) is also included within the Derwent Valley Mills World Heritage Site UNESCO monitored view so the visual appearance of the works within this view is very important. I note that on the whole the approach around Darley Abbey Mills Site is to maintain the existing flood defences, undertake some permitted development and have a site specific flood management plan. However there are some specific proposals which I have comments upon and these will be looked at in turn: -

1. Adding coping to wall to north-west of Mill complex - This is a modern breeze block wall that looks to have been erected between 1940's and 1960's before the buildings on the site were listed so as such no listed building consent is required and the works to add a coping is permitted development so the Environment Agency can undertake this without the need for Planning permission. I would advise that the choice of coping is important. I suggest it is an appropriate material, weathered and recessive.
2. Alterations of the Darley Abbey Mills Bridge –
 - a. In principle I have no objection to the replacement of the modern 1930's concrete deck of the bridge and the raising in height of 100mm. However we need more detail to assess this. Some of the oldest remains of an early limestone bridge can be seen above the water level and will be retained. Along from these remains and below the water level the bridge supports are cast iron and so are remnants of a much earlier structure. The Design and Access Statement (8.7.19) is correct that the bridge is not listed in its own right; however it is part of the listing of the Mills by association and is curtilage listed. The limestone elements and the cast iron bridge supports predate 1939 and seem to meet the curtilage tests so I assess that the bridge, even though some elements have been added later, are a listed curtilage structure to the highly graded listed buildings on the Mill site so any alterations to the bridge will need listed building consent prior to works starting. Please note that the weirs within the river adjacent have been listed in their own right recently. The bridge is also within the Derwent

7. Consultations:

- Valley World Heritage Site and UNESCO monitored view for the Derwent Valley Mills so the visual appearance and design details need to be carefully considered and agreed.
- b. With the necessary listed building application and regards planning application package 2 we will need more information on a number of bridge proposals elements including:
 - i. The connection details between the existing supports, which are to be retained and strengthened, and new bridge deck.
 - ii. The exact design of the new bridge deck is important. Although there is a visual shown of a railway bridge in Monmouthshire and I agree that the concrete deck needs to be as deep as is necessary but not over deep in section (which the inclusion of the photograph implies) I am not currently convinced at the balustrading design and suggest that more discussion and submission of more detailed design for agreement is required. I suggest that this could be done by condition.
 - iii. I also suggest information by condition on material finish and edges etc, the arrangement proposed regarding pedestrian/ car/ cycle demarcation and the replacement barrier (the current one is modern and is of poor design so there is important scope for enhancement) – also mentioned above.
 - iv. I suggest further details of the proposed otter ledges at pre-determination stage to assess whether these are appropriate.
 3. Proposed buried recycled plastic otter holts on islands – This is an archeologically sensitive area and is within the UNESCO World Heritage Site monitored view. If this is being pursued as part of this application I suggest that more information is needed to assess their acceptability. As the weirs are now listed an assessment on will have to be made on the basis of the proposed works as to their acceptability.
 4. Install new ‘penstock chamber’ on line of surface drain – The two Folly Houses are locally listed buildings. I note that there is proposed a construction of a 3 metre chamber. I would like to see, at pre-determination stage, the visual appearance above ground so its impact on the DVMWHS and nearby locally listed buildings can be properly assessed.
 5. Individual property protections to 43 properties west of River are proposed and the key constraints have been highlighted. The Abbey Pub is a Scheduled Ancient Monument, most of the properties where the scheme impacts upon them are grade II listed buildings and the whole of the area including Mill House is within the DVMWHS and the Darley Abbey Conservation Area. These are significant heritage assets.

Although the plan states that this is permitted development – Scheduled Ancient Monument Consent will be needed for the Abbey Public House for any measures and

7. Consultations:

Listed building consent will be needed for any proposals of alteration and retrofitting flood protection measures prior to them being undertaken to assess their acceptability. The D&A makes reference to some of the items e.g. blocking of airbrick covers, stop boards, non-return valves and pumps for ground waters. I would suggest that the approach agreed for listed buildings are rolled out to non-listed buildings within the 43 named (excluding the Abbey Public House as the works there will be determined by Historic England via a Scheduled Ancient Monument Consent Application instead of a Listed Building Application). I also note the Archaeology and cultural heritage section of the Environmental Statement which looks at the foreseen impacts upon Heritage Assets. The compound and at the western side of Darley Abbey Mills is mentioned on p5-16. I suggest that there is a condition to agree the location of the work compound so that it is located in the least sensitive location possible.

General Comment – Trees Along Alfreton Road Industrial Estate

General Comment regarding very important Tree belt - In terms of a buffer to protect views to and from the World Heritage Site the band of trees between the two is extremely important. I suggest that measures are put in place to retain the tree belt that runs wet side along the length of the proposed wall. Along the length of the proposed flood wall to the Alfreton Road Industrial Estate - Northedge (drawing 09), Alfreton Road Industrial Estate – Central (drawing 10) and Alfreton Road Industrial Estate – South (drawing 11). The drawings show areas of trees for selective removal. I suggest that more information is necessary by condition to ensure that enough trees are left to ensure an adequate screen of the wall when viewed from the WHS and listed building side. I also strongly suggest that a band of trees is retained to hide the now proposed metal sheet pile flood wall further south to the Alfreton Road Industrial Estate and Draka site.

Alfreton Road Industrial Estate (North) – Drawing 09

In this area we have to be minded of the setting of the highly graded listed buildings on the Mills Complex. However as they are some distance away the impact of the proposals shown on this plan, in my view, is minimal. The boundary of the DVMWHS runs up to the existing flood boundary and the area beyond this is within the DVWHS buffer zone. There are public footpaths and the main entrance to the DVMWHS along Haslam's Lane and I suggest we have to have regard to the visual appearance of the flood banks and walls at this point as well as along the boundary of this internationally important heritage asset. The flood defence is proposed to be relatively low in height by is relatively near to a public footpath. Therefore to the northern edge of the site I would suggest that concrete finish is softened so that it is not bright grey/white – green would be a better colour in the landscape. It is also important that the hedge is retained and replanted to provide the necessary screen (as seem in Fig 9.1 D&A). To the west of the Industrial Estate a sheet pile flood wall is proposed with steel capping beam and then further south a sheet pile with a mesh fence above. I suggest that the colour of both the concrete, the sheet pile and mesh fence is important (a muted green might be the preferred approach) and a colour could be agreed by condition.

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Alfreton Road Industrial Estate – Central (Drawing 10)

The flood defence proposed to the west of Alfreton Road (central area) which is occupied by Energas is a sheet pile flood wall is proposed with steel capping beam (Drawing 40 – AR4) and then further south a sheet pile with a mesh fence above (Drawing 40 – AR5). I suggest that the colour of both the concrete, the sheet pile and mesh fence is important (maybe a muted green might be appropriate here) which could be agreed by condition. To the bottom of this plan is Haslam's Lane route through the flood defence. This is the entrance and exit from the Derwent Valley Mills WHS into its buffer zone so the visual appearance and views into and out of the DVMWHS is very important. The flood defence at the western edge of Energas site is proposed to be a sheet pile with wire mesh and this then changes to be a brick low wall. The AR6c approach is appropriate as regards the boundary of the WHS. I would suggest the materials (brick, coping etc), detailed design of the wall (including brick bond and piers) and railings and colour of the flood gate are essential to get right. Should you be minded to grant permission for this application I strongly suggest a condition to agree these items. The flood gate might look better in open position if it is painted a brick colour to blend in with the wall rather than black - I suggest that this is discussed and agreed by condition.

Alfreton Road Industrial Estate – South (Drawing 11)

Trees along this length of boundary are very important and should any be lost I suggest trees are replaced with indigenous species (to be agreed by condition or as advised by Trees Officer) replanted so that the screen on the boundary of the WHS is retained.

Little Chester (North) – Drawing 13

The proposed flood bank is located to the east of Darley Playing Fields adjacent to this part of the Alfreton Road Industrial Estate. Its form is an embankment with a wall and a path beyond it. This runs along the eastern edge of the DVM WHS and to the north of Little Chester Conservation Area. More information on the proposed pier dimensions (in elevation and plan) and expansion joints are needed (I agree that the best option is for these to be hidden by or alongside the piers). This information and the materials are also very important for the final visual appearance of the wall and I suggest that these are conditioned and agreed (the brick and tile choice, mortar mix and finish and the coping). The type of tree planting is also important – I suggest that the Arboricultural Officer comments on this and may be able to be conditioned.

Little Chester (Central) – Drawing 14 – As Existing

There are a number of existing features that are shown on drawing 14 that are proposed to be altered. There is a small stretch of listed boundary wall to the north west of the grade II* listed Stone house Prebend which is within the area ground being lowered. These elements of wall should be retained and if any alteration is proposed listed building consent will be required. I suggest that it is confirmed that the existing stone wall is being retained (it is not shown on the existing or proposals plan so it is not clear whether it is or not). These are important to retain as they contribute positively to the character and appearance of the Little Chester

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conservation area and is part of the listing and character and significance of Stone House (north-west of the house).

Trees

I am pleased to see that previous comments I made on tree loss has been partly addressed in these amended proposals. I would like to make the following comment -

1. I note that there is loss of three trees, either side of the avenue to the north of the drawing, however three are being retained.
2. The removal of trees and shrubs to the west of Stone house Prebend and Derwent House. I suggest that if trees and shrubs are being removed it is investigated whether like for like replanting can take place to help retain the character of this part of the conservation area, setting of the listed building and would soften the impact of the proposed wall.
3. The previous proposals proposed the removal of the row of trees west of City Road (both along the boundary running east-west and along City Road). I suggested that consideration was given to replanting appropriate trees along this boundary perhaps to the inside of the flood wall and this would help retain the character of this street within the conservation area. Trees to the street side of City Road are now being proposed which is positive change to the proposals, in my view.

Little Chester (Central) – Drawing 15

Proposals North of Drawing –

The flood bank is to be replaced and the proposed new up to 3.2m high flood bank with a footpath along the top is located along the north of the conservation area and the Roman fort which is a scheduled ancient monument. Materials for the footpath construction are important and I suggest these are conditioned. I am pleased to see the amendments to the scheme at the entrance through the flood wall, adjacent to the 4 tennis courts and the removal of the extra grass tennis court. In my view this is an improvement. I suggest that it is conditioned and agreed where the material from the existing stone wall (being removed adjacent to the path and current tennis court) is to be reused.

Materials for these proposals are important. I suggest that bricks should be a traditional smooth faced brick of a colour and tone that is appropriate and characteristic of the conservation area. I suggest coping choice is also important so I suggest some discussion to agree these by condition would be helpful. Generally I suggest in the conservation area that a garden wall brick bond is used to the walls instead of a stretcher bond. I suggest that we also ask for a sample panel of bricks and mortar to check the mix and finish, surface finishes (materials and colour) to new paths and sports courts etc. These are particularly important within the conservation area. I suggest that all these could be agreed by condition and need to relate to their context and nearby heritage assets.

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Proposals West Of Drawing –

I understand that the proposed flood wall is, located to the west of the community centre through where the fort is, it has been located along the line of where there have already been archaeological investigations below ground. The bowling green is proposed to be removed and land levels lowered to improve water flow in the event of a flood. There is also a raised area proposed to depict the corner of where the fort once was (and remains are below ground level) which I believe will be an effective way of interpreting the fort form.

Derwent House is a Grade II Listed Building. The proposed flood wall follows the existing route and replaces the existing flood wall adjacent to the changing rooms and to the north of Derwent House. There are two walls to the west of Derwent House, a relatively modern boundary wall (that looks to be post 1939) which used to be previously the flood wall and a temporary flood defence that is located nearer to the river. I have the following comments to make on these proposals: -

1. I note that the proposed 2m high flood wall runs along the route of the existing flood wall to the north of Derwent House so that no damage is done to known archaeology below ground. There is slight impact and small degree of harm (which can be defined as less than substantial in the NPPF) to the setting of this listed building by the increased height of the proposed wall being installed instead of the current low wall with trellis above. I suggest that the wall is kept as low in height as is necessary and the detailed design and materials are very important.
2. Materials to be used adjacent to the listed building is very important and I suggest all materials - bricks, tiles, copings, brick bond, mortar mix and finish are conditioned to control the visual appearance of what is constructed. The choice of brick needs to be one that matches in terms of finish, colour, tone etc. as closely as possible the brickwork of the adjacent historic walls.
3. There is a historic route way which runs east-west and continues Old Chester Road in between Derwent House and Stonehouse Prebend – this is thought to be one of the entrances to the fort. Where the proposed wall runs across this element I suggest that the pier layout perhaps could reflect this above ground? This would add to its legibility. Alternatively an information board could also be added in or around this location to achieve this.

Stonehouse Prebend is a Grade II* Listed Building. The flood wall is proposed to the west and south of this highly graded listed building and replaces an existing grassy flood embankment. The proposed wall of up to 2m in height, in my view, is going to have a harmful impact on the setting of this highly graded listed building (which can be defined as less than substantial in the NPPF) to the setting of this listed building by the proposed wall being installed instead of the existing green flood bank which is at a much lower level. The character and the setting of this building will be changed by the addition of the high wall. There is evidence to suggest that this building historically had a predominantly open aspect to its west and south although this has changed slightly over time with the addition of the existing flood bank. Another item

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that may, in my view, lessen the visual impact of the wall when viewed from the building would be to retain some of the current banked earth dry side of the proposed wall to the west and south. The wall in this location to the south of the building is proposed to be raised to 2m in height which means that in terms of ground level to the top of the wall it will be well over this height. In my view the proposed flood defence is going to have a harmful impact on the setting of this highly graded listed building. There is existing flood embankment to the south of the building and dry side of the wall there is a dwarf retaining wall so there is already established banking in this area which could help mask partially the wall from views from the building. The current banking is where the former fort wall is projected to be so if the bank is left it could symbolise this and assist interpretation. I suggest that retaining some of the existing banked earth is considered.

Once again materials to be used adjacent to this listed building is very important and I suggest design details and material e.g. bricks, tiles, copings, brick bond, mortar mix and finish are conditioned to control the visual appearance of what is constructed. The choice of brick needs to be one that matches as closely as possible the brickwork of the adjacent historic walls. I would advise the protection and retention of existing established trees and shrubs in this area to soften the visual appearance of the wall.

The proposal running to the south of Stonehouse Prebend along to City Road – The wall is proposed to be approximately 2m in height and is located on a bank in places. I would like to make the following comments –

1. I note that there is a fence proposed to the south of outbuildings to 102 City Road (which in my view could be a fence or wall) and gates proposed on City Road itself. I would suggest that the boundary treatment is conditioned as the view from City Road of the gates will be important within the conservation area.
2. Materials to be used on this stretch of wall are very important to get right and I suggest pier details, bricks, copings, brick bond, mortar mix and finish are conditioned to control the visual appearance of what is constructed. The choice of brick needs to be one that matches as closely as possible the brickwork of the adjacent historic walls. I suggest these details could be conditioned.

Little Chester (Central) – Drawing 16

1. There is currently a 100m length of concrete flood wall to the west of City Road. This is proposed to be removed and a new brick clad wall erected in its place with glazed panels above. In my view the use of brick to the wall will be an improvement to the visual appearance of the wall and the structural glazing would maintain important views within the conservation area from City Road across Parkers Piece.
2. I suggest that pier details and materials to be used in this area are very important and I suggest bricks, tiles, copings, brick bond, mortar mix and finish, glass panels and frame etc. are conditioned to control the visual appearance of what is constructed. The choice of brick needs to be one that matches as closely as possible the brickwork of the adjacent historic walls.

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3. I am minded of the Scheduled Ancient Monument (Roman hypocaust) in this area. Historic England will be able to advise whether Scheduled Ancient Monument Consent (SAMC) is necessary for these proposals.
4. This part of the proposal site is also within the Little Chester Conservation Area. The landscaping around City Road Car Park is proposed to be revised and I would like to make the following comments:-
 - a. The railway and its lines used to run over Handyside Bridge, which is a grade II listed structure, and continue through where the car park currently is and to the rear of the houses that run along Old Chester Green Road. The wall at the end of the car park proposed does not reflect this historic linear clear area which the old car park previously did - but rather is negative impact on the significance of this listed building as regards the interpretation of the context and setting of grade II listed Handyside Bridge. As a flood wall cannot be avoided in this area going across the former railway line route I suggest that this is an opportunity site for public art/interpretation to this wall to highlight the past railway use.
 - b. I suggest that the proposed gravel vehicle ramp could be grasscrete so would be less noticeable when looking at the area from other parts of the conservation area and Parkers Piece.
 - c. I suggest that the detailed design of the ramp, steps and handrail be agreed by condition to enhance the character and appearance of the conservation area.
 - d. The materials for the car park, markings for spaces and disabled people spaces, landscaping schemes for the grass areas left in the car park, the bricks for the flood walls, copings, brick bond etc could be agreed by condition. As mentioned previously the choice of materials in the conservation area is very important.
 - e. The wall of Aida Bliss buildings facing the car park of the Aida bliss site are in poor condition. As cars are proposed to park right up against this building I would suggest that some discussion is held with the owners to repair the wall to the side of the building.

Duke Street (North) – Drawing 18

(Excluding Etruria Gardens which will be looked at when looking at Drawing 21)

1. Part of the character of the Derwent Valley World Heritage Site is the tree lined river banks. I suggest that as many trees should be retained as possible along the river banks. I would suggest that where the land level is being raised adjacent to the former Bath St Mills site that trees are replanted in this area.
2. Pier design and materials proposed to be used are important and I suggest bricks, copings, brick bond, mortar mix and finish are conditioned to control the visual appearance of the wall that is constructed. I would also suggest conditioning the path material and finish.

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Duke Street (South) and Sowter Road - Drawing 19

1. All the materials and design details for the proposed walls, coping, mortar mix and finish, structural glazing and frame, and the highway materials in between the two walls on Duke Street are important to be controlled and I would suggest that these are conditioned. These are also important as regards the setting of the Grade I St Mary's Chapel, Chapel House which is grade II and grade II (and Scheduled Ancient Monument) St Mary's Bridge as well as the setting of the grade II listed Silk Mill.
2. Adjacent to the north of the grade II listed Silk Mill and within the DVMWHS there is proposed the lowering of the ground level to help flood water movement in the event of a flood. I would suggest that a landscaping scheme is submitted, at this stage or by condition, for this area as it is an area within the setting of the Silk Mill and is located within the DVMWHS.

Etruria Gardens (Drawing 21) and Lower City Road (Drawing 22)

This area is located within the Little Chester Conservation Area. The proposal is for a 1.6 metre high wall with structural glazing above this, to enable views over the solid wall part, bringing it to a total proposed height of approximately 2.4m. This will mean a degree of harm and change of character in this area. I would suggest a condition controlling the detailed design of the glazing and its colour.

I support the installation of flood defence measures within new buildings along the river – subject to their detailed design and appropriateness of the scheme.

St Mary's Bridge (Drawing 23)

The Bridge Inn is a locally listed building and the St Mary's Bridge is a grade II listed structure as well as a Scheduled Ancient Monument. There is a high wall at 2.2m proposed along the car park and then this is lowered to 1.3m with structural glazing on top nearer to the Bridge. I suggest further design details of the structure of the glazing and metal supports (sectional, elevation details and colour etc.) are submitted via a condition for agreement. Details of any piers and Materials to be used adjacent to the listed and locally listed building is very important and I suggest bricks, copings, brick bond, mortar mix and finish are conditioned to control the visual appearance of what is constructed. I would prefer to see natural stone coping in this location adjacent to the listed bridge rather than reconstituted stone. In this location I don't think that the stretcher brick bond is appropriate and suggest a garden wall bond. I suggest that the proposals may be able to be improved if the flood gate is painted another colour – which could be agreed by condition (possibly painted brick red instead of black or another alternative?).

The tie-in details where the wall abuts with St Mary's Bridge are important and I suggest these be conditioned if Historic England is agreeable to this approach. As they oversee this process Historic England will be able to advise whether SAMC is necessary for this.

Full Street and Exeter Bridge (Drawing 24)

The riverside walk along the river in between the Silk Mill and Exeter Bridge is very important so as to create a non-threatening environment that can be widely used. It is

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also within the UNESCO monitored view for the DVM WHS. The plan states that the riverside façade of the Magistrates Court forms the flood defence. However this is incorrect as I understand that the flood defence hasn't been incorporated into the building. I strongly suggest that the plan is amended and flood defence measures that are appropriate to the setting of the grade II listed magistrates court are looked at in this location.

I would like to support the proposal in principle of the ramps, wall and floodgates adjacent to Exeter Bridge. Stone is the appropriate material here and the details are in keeping with the nearby Magistrates Court and The Council House. The drawings are labelled Yorkstone and although this is part of the public realm palette I suggest that a matching stone to the stone dressings of the nearby listed Magistrates Court or Council House would be more appropriate. The materials to be used and detailed design of these elements could be I suggest conditioned. I once again suggest the flood gate possibly painted stone colour.

North Riverside Existing Layout (Drawing 26) and Proposed Layout (Drawing 27)

Two locally listed buildings are proposed to be demolished as part of these proposals; Compton House and Exeter House. Compton House is a 1938 building built of Portland stone and brick. It has a stepped parapet which contains a clock face by John Smith and Sons of Derby. Exeter House was designed by Derby's first Borough Architect C. H. Aslin in 1929 and the building is one of the first examples of city centre public houses. The proposal therefore has a severely negative impact on these two heritage assets. I would ask as part of any future North Riverside study that the options of demolishing non-locally listed buildings is looked at instead. I would also suggest a relook at the flood model and whether retaining one or both of these buildings would be at all possible. If you are minded to recommend approval of this application I would suggest that there is a condition to undertake a historic building recording to an appropriate level (as detailed by Historic England Guidance) of the two buildings before they are demolished. In the Riverside area the proposals plan shows a very high wall in places and a large area that I suggest needs detailed analysis and design. There are some opportunities for enhancement adjacent to surviving locally listed buildings.

Interpretation of Heritage Assets and Public Art

As shown in the comments above this scheme does present some harm to some heritage assets. As mitigation there is an opportunity to undertake some slight gain by installing methods to interpret some of them. For example, in Little Chester would be to have more interpretation regarding the Roman Fort, the Roman Hypocaust, to interpret the former railway line on the wall round the car park as the lines ran over Handyside Bridge and through where the car park currently is. The other possible location is perhaps the wall running along City Road. There are other areas along the route which could have interpretation panels or other methods to interpret the World Heritage Site and other heritage assets. I strongly suggest that this is considered. There is also a big opportunity in terms of public art for the walls along the majority of the scheme to break up the long monotonous stretches of wall as the wall will have a big impact. Any stretch of wall has the potential to accommodate some element of

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public art especially where alongside paths or areas with public access. I strongly suggest that there is real potential for an artist or a community working with an artist could enhance the cultural offer by developing their own public art or heritage interpretation.

Recommendation:

I have highlighted where listed building consent will be, or may be, required once details are confirmed. The above comments show that there is harm to a number of heritage assets as a result of these proposals. I have highlighted and recommended where the proposals, in my view, could be improved (and therefore harm reduced). I note that these amended proposals do put forward some improvements to the previous proposal.

In terms of the scheme overall our saved local plan review policies state (including in particular E18 and E19) that if a proposal adversely effects listed buildings, locally listed buildings or the character or appearance of a conservation area which it is desirable to preserve or enhance the conservation area - planning permission will not be granted. However on a National policy level - where there is harm to the significance of the heritage asset the National Planning Policy Framework (2012 Para. 134) states that this harm should be weighed up against the public benefits of the proposal. I understand that there are a number of other factors that you will have to weigh up in the planning decision making process to enable you to achieve a recommendation. Notwithstanding the above - should you be minded to recommend this application for approval I have suggested a number of conditions within this consultation response to ensure the control of details of this application

Built Environment (Urban Design Officer):

General public art/creative intervention

This application has achieved a minimal start in realising the opportunity to incorporate a further creative “layer”, which anchors what are mostly standard flood-risk proposals to a Derby-centric series of solutions. This should be embedded within both the process of design and the built/natural infrastructure from the earliest stages. It is recommended that a public art plan be taken forward with early artist involvement to ensure this. Urban Design team’s previous comments noted the following:

Generally there could be “Triggers” for design enhancement and creative intervention (Public Art and interpretation).

1. Walling over 500mm and where raised to over 1.5 m overall especially in public spaces and residential areas
2. Where flood structures/defences meet the footpaths and cycle routes at nodes, and other structures such as gates
3. New development sites that front the conveyance and that would trigger a Section 106
4. Landscaped areas such as terracing

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5. To maintain views and character of the WHS

6. Little Chester Fort

Artwork interventions can be very wide ranging from small scale and minor detail, sections of wall, street furniture, landscaping and freestanding sculptures. It should be included as part of the fabric of the structures and **not** considered decorative. Artists involvement can equally be detailing as part of a wide area or focused on a specific site as a free standing structure.

This process is supported by our conversations with EA, and could do much to avoid community objection, giving a chance for the historical evolution of the area as well as these works to be marked by dialogue/stories – see EA's Tamed project in Birmingham.

Little Chester – a model, presented in the area as a public piece – of the old fort would also be a worthwhile public art project.

Breadsall/Darley Abbey

There are no issues with Urban Design in this area, except to support the need to obtain detailed advice from heritage partners on the new deck level to the bridge.

Alfreton Road - Draka Site/Energas site

The trees along the ditch are shown as selectively removed, and it is recommended that these are retained by using light machinery/hand digging in the area; the trees form an important buffer between the industrial site and the fields to the West, particularly alongside the Rugby club land.

The brick walls here feel over designed in terms of being fair-faced on both sides – it doesn't need to be this high quality a solution in this location due to it's lack of pedestrian prominence. However, the stretch of wall alongside the Rugby club land is more sensitive as it is within the DVMWHS, and it is recommended that the detailing of the western side of the wall is conditioned.

Alfreton Road/Haslams Lane

The wall is appropriate here as it is less visually prominent and the flood gates are recessed. Conditioned design detail is recommended for the area where the flood gates meet the piers/walls at Haslam's Lane. The area alongside the Rugby Club shows protected trees and replanting but this will need careful conditioning of works to maintain tree protection, and monitoring on site to ensure this is carried out in practice. Alternatively, if arboricultural advise suggests that inevitable root damage will take place it may be more prudent to accept that tree loss will occur.

Darley Fields

Eastern edge with wall and bund

Views across playing fields have been opened up as far as possible. The brick faced wall is appropriate and has been subject to much design conversation. A long elevation drawing is required to show how the wall changes in height along the length – to include how the brick coursing will step down – will it be raked or stepped up in stages, and how will this look - as the section drawing only refers to a wall height of

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between 1125mm and 1400m. Loose gravel is shown on the path atop the mounds and it is recommended that visually and in terms of the pressure on maintenance, a self-binding gravel may be more suitable. The long run of wall has no “escape route” and this is unfortunate, but attempts have been made to address this without risk to the flood retention: the result will feel a little constrained to users of the path and may lack a secure feel.

The row of Poplar trees between the existing bund and the industrial/housing sites will regrettably require removal as their roots are already seen in the grass bund. Semi-mature tree planting should be conditioned as a replacement so that the screening effect is retained in future.

Southern edge of playing fields – section LC3

The 22m width bund will be visually very prominent and will restrict views across it, but a grassed bund is appropriate here to maintain a green solution. To break up the monotony of the banks and add interest, it is recommended some naturalistic swathes of bulb planting are added.

Drawing 15 should show the path on the top of the bund in green.

The ramp/wall between the tennis courts as planned is very intrusive to the parkland setting and will feel like an over-engineered “canyon”, by virtue of its retaining brick walls. The removal of 3 of the mature avenue trees is regrettable, but unavoidable. I understand it is feasible that the tennis court closest to the river may be surplus to requirements and I urge this to be re-considered in this isolated location, not least because of its detriment to the parkland setting: its removal would assist the flood risk works as it would allow water conveyance into this area, and keeping the courts together on the east side of the ramped path will make management of the site by parks easier. If the court is removed a more acceptable solution may be found which avoids the need for the over-engineered ramp/walls due to giving more land space – for example, a battered or stepped green wall, which gives a wider section at the top of the wall and would feel more akin to a countryside path. Should the court remain, from the limited information on D & A statement/drawings, the 2.5/3m high walls will isolate the space, the court surrounded by over-fussy boundaries which will be costly to maintain, and be minimally overlooked – this is of concern to safety and security. Structural glazing panels and/or rail (giving views through) could be considered if the walls are inevitable.

It is recommended that any brick wall in this area is sculptured and a creative way considered to interpret the position of the Roman fort, and interpretation boards on the wall is not acceptable – see Pricesshay Exeter St Catherine's Almhouses, Princesshay development, Exeter (2005):

Art installations, entitled "Marking Time", by Patricia Mackinnon-Day. Mackinnon-Day's work uses an eclectic mix of archaeological finds, industrial glass, text and light to lead the visitor on a journey through the space, hinting at the multiple layers of its history.

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A condition for walls here should require that other types of materials/detailing may be appropriate here as there are stone walls and blue copings etc in the area around the community centre.

To articulate this effectively the visuals in the D & A statement are not adequate and need at the least an overhead orthographic view/walk through visualisation to show the level change and retaining situation when looking from the bowling-green area north along the ramp and also into the tennis court area to the west (if it is essential this remains).

There is an area where the wall starts on the mound and in plan forms some sharp angles in the “grand ditch” area, before returning to continue along the ground level – detailed drawings of the level and plan changes here will be required if this is not to become fussy and over-engineered, again of detriment to the natural character of the parkland setting.

As there is some length of wall required in the Darley Fields area, it is recommended that sturdy pier detailing (and vandal-resistant – grouted or pinned into wall) is conditioned to punctuate the changes of direction and give some visual relief from the run of repetitive brick wall.

Parker’s Piece

The wall to the rear of Derwent House and Stone House Prebend is shown as a modern interpretation of a roman wall and this is contrived and artificial: it will be almost impossible to recreate in modern methods and will add little in terms of the story of the evolution of Little Chester and the Roman Fort – it will should be detailed as a simple modern wall, possibly with an artist-led small zone where a subtle interpretation of the Roman Wall could be handled as an element of surprise (see Princesshay example above).

The wall with piers and structural glazed panels along City Road edge of Parker’s Piece has been much discussed and this solution is now appropriate. I question whether all options have been exhausted for the avenue tree removal: can the existing wall be built higher up/using soft machinery and techniques - such as use of lintels to bridge over tree roots - to try and retain these? Their removal is of great detriment to the amenity of Parker’s Piece and City Road.

Car-park area off City Road/Aida Bliss

I question whether the changes in level at the ramp from City Road require a railing and not just a free-floating handrail – at the very least a handrail should be above a low plinth wall so it doesn’t appear too utilitarian, and designed to tie in with the railing type/handrail at the ramp to east of the car-park and as simple and unfussy as possible with crisp detailing.

Steps up should be conditioned and require detailing to tie in with the timber steps near Handyside Bridge.

Lighting design will require a planning condition.

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It may be appropriate to design the life of the details to future-proof the much smaller car-park here for land to enable the viability of the Aida Bliss development. However, as this space marks the historic route of the railway, this should be manifest in future as open space for the development and not for extending the building footprint.

I recommend that future reconsideration is given to allowing a walking route to the river side of Aida Bliss and continuing along the rear of Etruria Gardens – a long run of this side of the river becomes un-usable to the public if this isn't explored. This proposal should not preclude this happening in future.

Duke Street North - Handyside bridge to Waterside House

New trees are too randomly shown and it is recommended that this needs a landscape design rationale. At the opposite bank to rear of Etruria Gardens keeping views in between retained trees is appropriate.

The ramp with wall/railings east of Rivermead House will look contrived and I recommend a condition is lodged which requires very detailed sculptural approach and possibly includes an artist. The visuals need to show a long elevation and this wall could be addressed as a sculptural intervention, possibly with a different facing material to both sides than brick and with planting each sides graded up in height to provide an easy to maintain mowing margin.

Duke Street South Waterside House to Silk Mill

The parkland area to the east of Duke Street loses most of it's existing trees due to the proposed level changes and this will have a detrimental effect on the space. I question whether all options have been exhausted, for example to retain the exceptional weeping willow tree, through building a retaining wall around the extent of it's roots so it is above the proposed ground levels.

Similarly, as all existing trees are proposed for removal north of the Silk Mill due to lower levels, it would give some maturity to the proposed space if at least one of the best tree specimens could be retained by retaining the root zone above ground levels.

The flood gate and it's detailing adjacent to the wall will require a condition – the piers here could be prominent and mark the start of Duke Street as a “home zone” type street. Similarly, the paved carriageway “table” could assist with a slowing down of traffic entering the Strutts Park area and signal avoidance of the street as a rat-run.

Magistrate's Court, now Riverside chambers

The existing flood wall to the east of the building is shown as removed on the drawings but hasn't been considered with recent renovation of building, i.e. a flood wall, as a replacement to this, as incorporated into the renovated building, was not taken forward. A ramp mirroring the Council House into Riverside Gardens could be conditioned to complete the accessible footway/cyclist link to Derwent St.

Riverside Gardens

This has been thoughtfully designed in conjunction with Landscape Architects from Lathams and is acceptable: it will require a future minor re-design to the eastern edge, should the Riverlights Phase 2 development radically change.

7. Consultations:

North riverside and Meadow Lane area

There are proposals to look in detail at this area in terms of producing an Urban Design-led masterplan, as there is great concern what type of place this discrete area can become with the constraints of the proposals: this zone should become another quarter within the city centre, making the river a core central space and not a peripheral one.

General materials/design

Brick types should be conditioned, with a rationale made for differing brick types in line with local characteristics. Brick bonds, corbelling details, joints & mortar spec as well as piers/copings/pier cappings should all be submitted for approval. Sample panels should be required. Railings/handrails should also be conditioned in detail and it is recommended this detailed work is led by a Landscape Architect in conjunction with engineers. Sample panels of all steelwork should be required.

It is recommended that further opportunities to include improvements to biodiversity within the walls be discussed with EA – e.g. bird nesting features and greenery where wall sites offer easy maintenance opportunities.

It is recommended that, following the final agreement to the nature of the wall around the Darley Fields tennis courts area has been satisfactorily resolved, this application is approved subject to conditions.

Natural Environment (Tree Officer):

The Officer notes that the impact of the works upon the natural environment situated within and adjacent to the river corridor is recognised in the submitted Design and Access Statement, and Environmental Statement that accompanies the planning application. Along the river corridor, there are a number of areas which have statutory tree protection in the form of either Tree Preservation Orders (TPOs) or are within a conservation area. In relation to the tree preservation legislation, there are exceptions though which will be relevant to the current outline application. These are:

- In conservation areas, preservation of trees shall not apply to the cutting down, topping, lopping or uprooting of a tree by, or on behalf of, a local planning authority
- For trees protected by a TPO, nothing shall prevent the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995.

It is noted by the Officer that all proposed tree works are to be done in accordance with BS3998:2010 - Tree Work – Recommendations and the arboricultural consultant's specifications as detailed in their submitted British Standards 5837:2012 Tree Survey and Tree Constraints Plan. Also, that all retained trees are to be protected in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction – Recommendations.

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7. Consultations:

Therefore, in relation to the submitted British Standards 5837:2012 Tree Survey and Tree Constraints Plan, as long as the advice given / recommendations made are followed, no further comment are made, other than to point out that the findings and recommendations contained within the submitted report are, assuming its recommendations are observed, valid for a period of twelve months from the date of survey. Also, to reinforce the concerns already mentioned by colleagues in their comments about the proposed loss of trees along the river corridor because of their:

- importance to public amenity and wildlife
- contribution to the setting of various Conservation Areas and the Derwent Valley Mills World Heritage Site and recommend that innovative solutions are explored / implemented to retain as many trees as possible, which are currently affected by the proposed OCOR scheme.

Water and Flood Risk Management Team:

Comments received in response to the original submission:

The principles of the Our City Our River (OCOR) are fully supported by the Projects Water and Flood Risk Management (PWFRM) team as the project is designed to protect over 2,000 properties from flooding from the River Derwent in a 1 in 100 year event.

However, the team has reviewed the project and has the following comments:-

- I. Although the scheme has been assessed for the 1 in 100 year event plus climate change, when considering the protection of properties that will remain at flood risk in Darley Abbey and North Riverside where property level protection will be offered, the assessment was undertaken for the 1 in 100 year event only. This does not comply with the National Planning Policy Framework; therefore the analysis should be undertaken again using the 1 in 100 year event plus climate change event.
- II. From an analysis of the proposed 1 in 100 year event flood levels and known ground levels, it is not clearly demonstrated that flooding will not occur behind the flood defences via the Phoenix Street underpass under the Inner Ring Road. A more detailed analysis of this flooding mechanism should be supplied to ensure that the flood defences cannot be bypassed.
- III. There appears to be no analysis to determine if sewer flooding will occur behind the defences between each phase of the scheme. For example, the combined sewer that drains the City Road area, which is shown as protected by the Phase 1 defences, drains through the North Riverside area. This area is still shown as flooding following the Phase 1 works, with a flood level predicted to be greater than 47.45m; however manhole cover levels in the City Road area are as low as 46.470m. It appears therefore that there will be a hydraulic gradient causing the sewer to go into reversal and flooding could occur.

The above issues will need to be addressed prior to the PWFRM team being able to support the application.

7. Consultations:

As Phases 2 and 3 are in outline only and no detailed designs have been submitted for Phase 1, we would ask that the following to form the basis for further discussion about the conditions to be imposed

1. An analysis of flooding from drainage systems behind the defences has been undertaken and various measures proposed to mitigate the effects, however this was carried out using a static analysis where no coincident storms were considered. The analysis in Figure 11.6 of the Flood Risk Assessment indicates that for the 1 in 100 year event flap valves on the drainage systems will be closed for between 20 and 35 hours; there is therefore a high probability that a coincident rainfall event could occur when the flap valves are closed. This could lead to more extensive flooding than the static analysis predicts.
2. The impact of the scheme on the highway drainage network will need to be fully considered and detailed mitigation works shall to be proposed and submitted to the local Highway Authority. No works shall begin on site until the Highway Authority is satisfied that the proposed mitigation works are acceptable.
3. Prior to commencing each phase of the project all private drainage outfalls to the river shall be identified and made known in writing to the LPA. The impacts of the scheme on these outfalls will need to be assessed and mitigation measures proposed in writing to the LPA. No works shall begin on site until the LPA is satisfied that the proposed mitigation measures are acceptable.
4. Prior to commencing any phase of the project a method for increasing flood defence heights to those required to account for climate change shall be submitted in writing to the LPA. No work shall begin on site for any section of the defence until the LPA has accepted the proposals in writing.
5. Prior to commencing any phase of the project, an evacuation plan shall be submitted in writing to the LPA to demonstrate that the area of land between the flood defences and the river can be evacuated and that the defences can be brought into operation prior to a flooding event without placing the public at undue risk.
6. No works shall commence on any flood defence asset until the design, operation and maintenance procedures have been submitted in writing to and accepted by the LPA.
7. No new drainage systems required by the project will be constructed until written details have been supplied to and accepted in writing by the LPA. Surface water drainage systems shall be based on sustainable drainage system principles.
8. No phase of the works will be undertaken until a detailed assessment has been undertaken to identify all properties that will remain at risk from the 1 in 100 year plus climate change event flood outline. Resilience and resistance methods should be considered for these properties.

7. Consultations:

9. Property level protection has a design life of approximately 15 to 20 years and will require maintenance during its life time. Where properties were not at risk of flooding in the 1 in 100 plus climate change event in the existing situation but are following the implementation of the OCOR scheme, then these flood defences will need to be maintained for the design life of the scheme.
10. No phase of the project will begin until confirmation in writing has been supplied to and accepted by the LPA that the risk to critical infrastructure in the Silk Mill sub-station can be adequately managed for all phases of the development for flood levels up to the 1 in 100 year plus climate change levels.
11. No phase of the project will begin until details have been supplied to and accepted in writing by the LPA of how ground water will be managed throughout that particular phase of the project.
12. No phase of the project will begin until written details have been supplied to and accepted in writing by the LPA of how flooding behind the defences will be managed for high probability storms occurring coincidentally with high river levels. Flooding from the following sources should be considered: all watercourses, highway drainage systems, public sewer systems discharging directly to the river and over land flow.
13. No phase of the project will begin until an assessment has been supplied to and accepted in writing by the LPA demonstrating that any properties subject to flood depth increases are not adversely affected by the additional structural loading that may be applied to them as a result of any phase of the works.
14. Proposals must be submitted to the LPA to ensure existing flood defence levels are maintained during the construction phase of the project.
15. No works on Phase 2 shall commence until written details have been supplied to and accepted in writing by the LPA of how the flood risk from the public and private foul and surface water drainage systems in the Stuart Street and Phoenix Street area will be managed during a flooding event.

Condition applicable to Phase 3 only:

16. No works shall commence within Alvaston Park until a full impact assessment of the effects of the project on any watercourses within the park have been undertaken and any necessary mitigating measures submitted to and approved in writing by the LPA.

These conditions should be viewed as draft only. I would be pleased to discuss the best method of phrasing of the conditions to ensure that sufficient information is supplied to the LPA in order to ensure that the works provide the level of protection stated and that they can be constructed without placing the public at undue risk, whilst not imposing unreasonable restrictions upon the project.

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7. Consultations:

Response to further consultation:

The team advised as follows;

In my previous comment I raised three issues that needed to be considered further. I have now reviewed the revised FRA and comment as follows:-

- I. The assessment of flood risk taking climate change into consideration has now been completed in Darley Abbey, demonstrating that no further properties are placed at increased flood risk. This assessment is therefore acceptable,
- II. The potential for flooding behind the defence via the Phoenix Street underpass has now been addressed by the inclusion of a flood gate within the underpass.
- III. The issue of sewer flood between the phases of the scheme has now been addressed further within the FRA by the proposals for the non-return valves in phase 1 and an assessment at the detailed design stage in phase 2. The FRA recommends further work to evaluate the adequacy of these measures during the final design phase. I am now satisfied that this matter can be fully addressed by the imposition of a condition.

I believe revised FRA now removes the major concerns the PWFRM team had with the project. However I would like to review the modelling report when it is uploaded to the website before providing my final comments and recommended condition.

Environmental Services (Parks):

Comments were received from the Parks Department in response to the original application submission. They provided the following comments which have been copied in full;

This planning application is for flood defence measures along the length of the River Derwent within Derby City boundary and beyond. Due to the linear nature of this scheme, the flood defence works will impact upon open spaces and parks that are situated within and adjacent to the River corridor. This potential impact on these riverside open spaces and parks through the city centre and beyond is recognised within the Environmental Statement that accompanies the planning application.

The importance that high quality open space can play in contributing to the health and well-being of the local community is recognised in both national and local planning policy and the protection of health and well-being is identified as a Council priority in its corporate Plan for 2015-18.

The application is an outline application with full details for Package 1 works. Package 1 includes open spaces at Darley Fields, Parker's Piece, Duke Street North and South and Sowter Road. Package 2 and Package 3 works are outline only. The works in Package 2 affect the open spaces of the Riverside Gardens and North Riverside while Package 3 includes works that impact on Alvaston Park.

In addition to the removal of existing flood defences and the construction of new flood defence structures, embankments and walls, works will include changes to existing topography, reconfiguration of sports and community facilities, removal of existing vegetation and trees and changes to access arrangements.

7. Consultations:

Comments relate to areas of open space in a progression north/south down the River corridor with the relevant drawing number that relates to each open space.

Comments

Darley Fields East – Drawing 13

Darley Fields is an important site for football in the city and the programming and method of working will need to be conditioned so that the works are undertaken outside the football season where possible and any damage to existing playing surfaces is reinstated to a suitable standard and within a realistic timeframe to minimise any disruption.

Construction of the new brick wall and embankment along the eastern boundary of the playing fields will impact on the root zone of existing trees and any potential tree losses will affect the screening of the industrial estate on Mansfield Road from Darley Fields. Consideration of a 'no-dig' construction may be necessary to minimise disturbance of existing roots within the embankment.

The raising of ground levels by providing grass embankments against the flood walls will help to reduce the visual prominence of the defences in the landscape. This combination of brick wall and embankment has been designed to reduce the footprint of the flood defence in this location to minimise the impact on existing provision of football pitches.

Due to the length of the flood walls within the scheme and the visual impact on open space, the visual appearance of walls and piers and the brick type and copings are important and should be conditioned. Copings should be chosen to be robust and where appropriate fixed securely into the body of the walls.

The footpath to be provided on top of the flood embankment will formalise an existing pedestrian link and encourage wider use of this part of the open space. Future maintenance of all embankments and paths is an important consideration. Gravel surfacing needs to be bound to prevent spillage onto adjacent grass area and details such as mowing strips incorporated along the base of all walls where these are adjacent to grass areas to facilitate mowing.

Darley Playing Fields South – Drawing 15

The existing flood defences will be removed in this location and new defences constructed on a new alignment. The new flood embankment across the southern end of the playing fields will bisect the open space and have a substantial physical and visual impact on the character of the open space and how it is currently used. The grass bund is 22m wide and will separate the football pitches on the wet side of the defence from the new facilities on the dry side. It is important therefore that good linkages are maintained to connect the facilities on both sides of the defences.

Pre-application consultation with Sport England has resulted in rationalisation of the existing sports facilities and a new layout of facilities consistent with the projected future needs of the city. Works involve the re-modelling and re-location of existing facilities and replacement of others. The current design relocates these facilities outside the flood zone.

7. Consultations:

The underlying archaeology in this area has been a significant constraint on the design and layout of the sports facilities and the position of the new flood defence alignment. The reconfiguration of the sports and community facilities and car parking at the southern end of the playing fields has been the subject of prolonged discussions with the resulting design dependent on the outcome of archaeological investigations with regard to the locations of the Roman fort and associated activity and ditches.

The number of hard surface tennis courts will be reduced from six to three following discussions with Sport England and these will remain within the dry side of the flood defences separated by the main access route into the open space. Drawing 46 and Sections LC7 and LC8 show a high wall up to 3m in height enclosing the tennis court on the west side of the access route on three sides with welded mesh fencing on the 4th side. These walls are visually very dominant when viewed from the playing fields with the enclosure of the tennis court allowing for limited surveillance which may result in community safety issues. These walls will be costly to maintain in this location with restricted access to the court via steps.

The planned arrangement of flood walls either side of the main footpath/cycle route and forming the boundary walls to the tennis court is very intrusive to the parkland setting and visually dominant. The width of the access road and height of the walls in this location up to 2.4m high above the ramp results in a confined entrance with limited surveillance. This is the main entrance and gateway to the open space and feels confined and oppressive with restricted views.

The position of the flood walls in this location will result in loss of mature avenue trees which are one of the key landscape features of the open space. Beyond any general tree protection issues outlined in the arboriculture assessment, specific tree protection for the avenue of trees should be conditioned. This will require submission of an Arboricultural Method Statement incorporating details of bridging foundations and hand excavation around tree roots adjacent to retaining walls.

Further consideration of the detailed design of this area is necessary to address these issues and create a safe and attractive entrance into the playing fields and beyond. A more acceptable solution may be to move the tennis court to the east side of the ramped access path and into the multi-use games area. Moving the tennis court and re-aligning the wall in this location, would provide additional flood conveyance within the open space and the facilities would be consolidated in one area for easier maintenance.

If the archaeology permits the re-alignment of the flood wall south towards the Community Centre and returning north along the edge of the footpath to the flood gates, this would give additional playing area within the open space and improve the legibility of the bund defining the position of the Roman fort wall. A lower retaining wall could then support the ramped access on the river side. A handrail along the top of this wall would permit open views into the park and towards the river increasing surveillance and visibility.

7. Consultations:

If the flood walls either side of the ramp cannot be re-positioned due to impact on below ground archaeology, consideration should be given to a re-design of the walls at this important location, to open out the entrance into the park, reducing the feeling of enclosure and impact on the parkland setting. The wall to the east of the ramp could curve around the embankment with the path following the curve of the wall, improving what is an awkward and oddly shaped path layout. This would eliminate the small area of grass between the path and the wall.

This is a good location for a creative interpretation of the history and nationally important below ground archaeology of this area, with the brick walls and piers designed as an entrance feature to the open space that marks the transition between the sports facilities and buildings and the open playing fields beyond.

The existing bowling green is to be removed to allow for additional flood conveyance adjacent to the river and to interpret the shape of the Roman fort. The proposal is to construct a new bowling green on the dry side behind the flood defences with associated car parking. This is welcomed and provides an opportunity to upgrade the existing facilities and pavilion. Consideration could be given to the use of an artificial surface if this is of an approved quality and standard.

The removal of the conifer hedge enclosing the Derby City Council old nursery site will increase the open aspect of this area with increased surveillance of the bowling green from adjacent housing to the east and from the footpath on the crest of the new flood embankment to the north.

Works to remove the existing embankment to the rear of Stone house Prebend and construct the new defences will result in selective removal of trees within the woodland between the flood defence and the river. This needs to be undertaken sensitively in order to minimise the impact of construction and subsequent loss of trees. Although relatively small in area the woodland planting does contribute to the biodiversity and riverside character of this area and will help to screen the flood wall from the existing river side footpath.

Parker's Piece – Drawing 16

The existing concrete flood wall along the boundary of the open space with City Road is to be removed. This is unsightly and its replacement with a brick wall is an improvement. The 2.2m high brick walls will however impact on views into the open space so the use of structural glass panels is welcomed to improve surveillance and brick piers to break up the long line of the brick structure. The location of this wall on the edge of the Roman fort area makes this an ideal location for interpretation and artistic intervention, either incorporated into the glass panels or within the widened paved footway at the base of the wall.

The removal of the trees along the City Road boundary of the open space will change the visual character of both the street scene and the open space. The widening of the footway on City Road allows for the potential planting of new street trees which would help mitigate the loss of the mature trees and may require incorporation of root control membranes or other measures necessary to reduce any potential impact of root growth on the flood defence.

7. Consultations:

The re-location of the cricket nets from Darley Fields to Parker's Piece is a welcome and logical move due to the proximity of existing cricket facilities. There is a proposal to further develop the site in the future for both cricket and other sports and the addition of 2 new artificial wickets will be beneficial to this development.

The new access ramp into Parker's Piece for maintenance should be surfaced in a bound material rather than the proposed gravel to prevent creep of the material onto the grass playing surface.

Duke Street Public Open Space (North) – Drawing 18

The construction of a 2.7m high flood wall and embankment will be a significant feature in this relatively narrow open space but the scale of adjacent buildings should help to offset the imposing nature of the defence. Configuration of the wall may result in areas behind the wall where surveillance is limited and encourage anti-social behaviour. The alignment of the wall has been designed to minimise the presence of pinch points but are still areas where maintenance may be difficult.

The retention of waterside trees and vegetation is important to retain the character of the river edge and to ensure continuity and coherence of the river as a wildlife corridor. However there is also the opportunity to remove selected self-set trees to open up views of the river and this is welcomed.

There is potential for artistic input into new railings at the top of the ramp over the defence to mark this transition and vantage point in the space with views towards Handyside Bridge. Alignment of the path in relation to the wall needs careful consideration to avoid narrow strips of grass. This may need detailing with additional paving or low level planting. The need for benches in this location will need to be reviewed to prevent anti-social behaviour issues.

Duke Street Public Open Space (South) – Drawing 19

This open space and Duke Street (North) above, forms an important link between the city centre riverside spaces and the parkland and World Heritage site to the north.

The proposed level changes in this area with loss of all the existing trees will adversely affect its character. There is no embankment against the flood defence in this location to reduce the visual effect of the wall which will be up to 2.3m above the level of the footpath. Retention of prominent existing trees where possible with careful design of retaining walls would help to break up and soften the impact of the long length and height of the brick wall, both for the residents of properties on Duke Street and users of the open space.

Where trees are replaced these should be of an appropriate species and size to give some maturity to the open space.

The removal of the gabion baskets which form the current flood defence and opening out of the northern end of the space is a welcome improvement to allow greater visibility and surveillance.

7. Consultations:

Riverside Gardens - Drawing 25

This part of the project has been designed by external landscape consultants who have produced a design that reflects the prominent location of the open space in the civic heart of the city and orientates the space towards the river. Terracing of the flood defences with stepped retaining walls and detailing using high quality materials, produces a high quality space that reflects the linear nature of the site and makes good use of the riverside position and views.

Alvaston Park – Drawing 32

The proposed flood defence in Alvaston Park comprises an embankment up to 2.6m in height set back at the rear of the park along the southern and eastern boundaries to allow more floodplain storage in the park in the event of severe flooding.

The existing flood defence along the river edge will remain and provide protection in a 1:50 year flood situation but should this defence overtop, the amenity open space and sporting facilities within the park are deemed to be water compatible land uses. The changing rooms and café building have been designed to be flood resilient but areas around the lake will be raised to provide further protection from a 1:100 flood event.

The flood embankment will introduce a new landscape feature into the park which will have an impact on the character of the open space. The use of embankments rather than walls in this location is however appropriate with the potential for the banks to be used as viewing areas for the playing pitches. The location of the defences along the park boundaries will help to reduce the impact of the defences visually within the park. There is potential for wildflower seeding on the back of the embankments to soften the regular form of the defences and reduce the frequency of maintenance.

The application will result in a reduction in the area of playing pitch due to the footprint of the flood embankment but a revised layout of the pitches means that there is no loss in the number of pitches. Pre-application discussions with Sport England regarding loss of playing field and playing pitch area have taken place and included the option of up-grading the quality of existing facilities to mitigate any potential loss. This could include improvements to drainage of existing pitches or up-grading and re-surfacing of existing hard courts. The planning application has been undertaken in line with national guidance and the recently commissioned Outdoor Sports Strategy. This strategy which assesses the future need for outdoor sport provision within the city and includes an assessment of pitch provision is due to be presented to Cabinet for approval in June 2015.

A major impact on the park will be on the access routes into and out of the park, particularly where the vehicle and pedestrian routes have to cross over the new embankments. Construction of the embankment will also result loss of trees including part of a mature avenue adjacent to Lakeside Primary school. This loss is regrettable as these trees form an important landscape feature within the park and help to define the existing routes. Careful consideration will be needed for the locations of new planting. Replacement of trees is to be on a 1:1 basis in locations to be agreed within

7. Consultations:

the park and this should include the use of semi mature parkland trees in suitable locations to mitigate the loss of mature trees.

Interpretation and Public Art

Chapter 6 of the Environmental Statement states that consideration will be given to the incorporation of artwork and community involvement in the detailed design. The application shows limited evidence in having identified opportunities for creative interpretation and design in key areas and open spaces. This creative input would help to integrate the 'hard' engineering of the defence structures into these areas giving some local distinctiveness and character. This is important at entrances to open spaces where the flood walls are particularly prominent for example at Darley Fields and Parker's Piece where there is opportunity for artwork to interpret the historical evolution of the area.

It is also noted in the Environmental Statement that the Little Chester and Darley Fields area is strongly influenced by its area and heritage. There is limited evidence of interpretation of the distinctive features of the area, particularly the nationally importance archaeology and the railway heritage. The design of new areas of open space such as the area at City Road shown on Drawing 16, cuts across the linear feature of the old railway corridor from Handyside Bridge by lowering the ground level to allow flood conveyance around the bridge. The flood wall and embankment that crosses the car park from Parker's Piece to Aida Bliss development offers potential for further design and creative interpretation to convey the history of the area, possibly through sculpture of the brick fabric of the wall or linear soft landscape features.

Trees and Biodiversity

In addition to the impact on the landscape character on parks and open spaces by introducing large-scale engineered features into these green spaces, the removal of trees, shrubs and waterside vegetation is likely to result in a loss in the biodiversity of these areas.

Mitigation for loss of trees and wildlife habitat through environmental enhancements is welcomed but this must be carefully managed so as to provide added value to existing wildlife areas and projects and not conflict with existing uses. There is the potential for enhancements in conjunction with already identified initiatives, both within and adjacent to the project area e.g. within Darley park and Darley and Nutwood Local Nature Reserve.

The plans show areas of new tree planting to offset the loss of some of the trees. Precise locations of new trees may need to be amended to take into account maintenance considerations and potential impact on flood water flows. Where loss of trees cannot be mitigated within the plan area due to flood conveyance or archaeology constraints for example, consideration should be given for tree planting outside the plan area on land owned by the applicant.

7. Consultations:

Environmental Services (Health – Pollution):

The following comments have been provided in relation to Environmental Protection related issues, namely air quality, noise, dust (and other environmental nuisances) and land contamination (with respect to human health, not controlled waters).

General Environmental Protection Issues

The primary environmental protection concerns in relation to the OCOR project is that it involves a considerable degree of construction and demolition works over a relatively significant period of time. As a result, there will inevitably be a degree of environmental impact upon local receptors within each development phase, particularly from noise and dust. It is in my view however, entirely feasible to avoid significant impacts if suitable and sufficient management procedures are followed rigorously. The development itself i.e. the presence of a series of flood defences, is unlikely to create any significant environmental concerns and in many cases, may provide environmental improvements.

Land Contamination

Given the industrial heritage of many of the riverside locations across the City of Derby, there is a strong likelihood that significant levels of contamination will be present within the ground across the development area. The submission of a *Contaminated Land - High Level Desk Study Report* (Haskoning UK Ltd, March 2010) in support of the application is noted. Some limited soil contamination testing has also been undertaken in connection with a *Ground Investigation – Factual Report* (Opus, November 2013). In addition, Chapter 8 of the submitted Environmental Statement considers potential land contamination risks.

High Level Desk Study Report - The Desk Study considers potential contamination issues in relation to a series of 16 separate 'zones' making up the development area. The study highlights the potential for the presence of contamination in the majority of zones and recommends additional work to investigate each zone further and subsequently design a risk management scheme. The main ground contamination risks relevant to human health requiring further investigation is the potential for contaminated land to be disturbed and create new exposure pathways between contaminants and human receptors. The Environment Agency should be consulted regarding any risks associated with ground contamination and controlled waters.

Ground Investigation – Factual Report - This report includes a very limited amount of soil sampling for indicative purposes only. A number of samples revealed elevated levels of contamination, which indicate further testing may be required within those locations.

Environmental Statement – Chapter 8 of the submitted Environmental Statement also considers land contamination and includes a series of 'embedded' mitigation principles, detailed in section 8.1.7. The report considers potential risks based on a series of described site areas. In accordance with EIA procedures, the report describes the risk of contamination being present in each area in terms of impact descriptors. The report acknowledges that there still remain a number of uncertainties

7. Consultations:

regarding ground contamination and therefore recommends additional investigations are undertaken.

Conclusions on Land Contamination

It is advised that additional consideration of potential contamination is undertaken for each phase of development. It is recommended that further site investigations (or justification as to why this may not be necessary) is required by condition in relation to each phase of development. Where site investigations have revealed significant risks, a Remediation Management Strategy is also advised. Following the completion of any agreed remediation works, the works should be suitably validated via an appropriate validation report.

Noise

The finished development itself is unlikely to create any significant noise impacts, however it is highly likely that significant levels of noise will be created throughout the duration of construction works, both from the works themselves and associated construction traffic. The Environmental Statement does not appear to include any consideration of noise impacts, however reference is made to the use of detailed method statements for construction activities. It is strongly recommend that a detailed Construction Noise Management Plan is required by condition. The plan should provide detailed mitigation measures specific to each phase of development and the procedures will need to comply with those detailed within British Standard BS5228 or other agreed guidance/standard. The agreed plan should be complied with fully throughout the development works. Construction works should be restricted to the hours of 7.30am to 6pm (Mon to Fri), 8am to 1pm (Saturdays) and no construction works should take place on Sundays or Bank Holidays. Exemptions to these hours may be acceptable on prior agreement, only in exceptional circumstances.

Light Nuisance

Within the development phase described as *Little Chester - Central* (Drawings 14 and 15), I note a series of works involving the relocation of sports pitches and a bowling green. I have particular concern regarding any flood-lighting proposed in connection with the new bowling green, given the proposed site's proximity to residential dwellings. I would therefore recommend that a planning condition is attached to any consent requiring that floodlighting is located, installed and maintained in a manner so as to minimise the impact upon neighbouring premises, with a requirement for the submission and agreement of detailed lighting plans.

Air Quality

I refer to Chapter 11 of the submitted Environmental Statement, which considers air quality impacts. Please note that the following comments only refer to air quality implications of the development and therefore any comments on traffic and transport are solely within this context. The development consists of flood defence infrastructure within a number of locations around the River Derwent in Derby and will not inherently increase traffic numbers post-completion. As such, the report focuses upon traffic impacts during construction/development rather than those related to the development itself. Within the local road network, the maximum increase in traffic

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due to construction-related traffic increases is expected to be 187 vehicles (AADF), representing at most a 10% increase. The report therefore concludes that air quality impacts from these increases are expected to represent an insignificant impact. I would accept this conclusion in air quality terms.

Section 11.3.28 outlines the potential for dust nuisance to occur during construction works. Section 11.3.29 then goes on to detail some general dust management practices to be employed during the works. I would strongly recommend that a more detailed Construction Dust Management Strategy be required (via condition) through any planning permission which may be granted. The strategy should be specific to each phase of development and should be complied with fully throughout the duration of the works. The strategy should have regard to relevant guidance, for example guidance produced by the Greater London Authority (GLA, 2006), or the Institute of Air Quality Management (IAQM, 2012).

Derwent Valley Mills World Heritage Site:

The Conservation and Planning Panel advised the following in response to the original application submission;

Part of the proposed development lies within the Derwent Valley Mills World Heritage Site. The Derwent Valley Mills were inscribed on the World Heritage List by UNESCO in 2001. The Derwent Valley Mills Partnership, on behalf of HM Government is pledged to conserve the unique and important cultural landscape of the Derwent Valley Mills World Heritage Site; to protect its outstanding universal value (OUV), to interpret and promote its assets; and to enhance its character, appearance and economic well-being in a sustainable manner. The Outstanding Universal Value (OUV) of the Site was defined by the following criteria, agreed by UNESCO when the mills were inscribed. They are:

- C(ii) That the site exhibits “an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town planning or landscape design”;
- C(iv) That the site is “an outstanding example of a type of building or architectural or technological ensemble or landscape, which illustrates a significant stage in human history”.

The UNESCO World Heritage Committee recorded that these criteria were met for the following reasons:

- C(ii) The Derwent Valley saw the birth of the factory system, when new types of building were erected to house the new technology for spinning cotton developed by Richard Arkwright in the late 18th century.
- C(iv) In the Derwent Valley for the first time there was large-scale industrial production in a hitherto rural landscape. The need to provide housing and other facilities for workers and managers resulted in the creation of the first modern industrial settlements.

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A Management Plan for the World Heritage Site was created in 2002, and updated in 2014. It has as the first of its nine aims to: “protect, conserve and enhance the Outstanding Universal Value of the DVMWHS.” In accordance with this aim, and with reference to Section 12.1 of the Management Plan, I have consulted with Derbyshire County Council’s Conservation and Design Section (which advises the World Heritage Site Partnership in planning matters) over this application, and the World Heritage Site Conservation and Planning Panel, and have received the following advice.

While the proposed works will impact on the visual environment of the various locations, it is considered that the impact on the Outstanding Universal Value of this part of the World Heritage Site is likely to be minimal. However, the aspects of the proposed interventions that will have a bearing on Outstanding Universal Value are in their response to the issues of ‘authenticity’ and ‘design quality’.

The most significant attributes of the World Heritage Site within the application site are the River Derwent itself and the former Silk Mill. While the flooding problems associated with the museum building are not directly addressed in this application, the proposed removal of trees provides an opportunity to link this area more closely to the heritage of the Silk Mill and the Derwent Valley World Heritage Site and co-ordinate with a parallel Initiative for a new visitor attraction for Derby, the Museum of Making. It is hoped that a co-ordinated approach will result through appropriate liaison between these two adjacent investments in public funding.

The new or replacement barrier structures are features most relevant to any potential impact on Outstanding Universal Value. While it is recognised that there is a critical need for these structures to work in functional terms, rather than them being a pure engineering solution, with the risk of having an anonymous and alien presence, the opportunity is presented in this project for a positive design response and contribution. The inappropriateness of a single detail solution is particularly demonstrated around the Stone House Prebend and Derwent House where the extensive pier and panelled wall imposes a modern urban detail on a historic site demanding a more rural setting.

The indicative visualisations acknowledge that the extensive lengths of the defence walls require to be broken up, visually, with piers, panels with canted plinth details and bull-nose art stone copings. In terms of materials, the proposed solution of engineering bricks does not respond specifically to context. Facing bricks that more closely match their immediate context would help to integrate the new insertions. If stone were to be the appropriate dressing material, then natural stone, rather than artificial stone would fulfil the criteria for authenticity and design quality.

Alternatively, the structure need not adopt the standard solution of mock heritage features, with arbitrary proportions and detailing. The collective series of structures could act as a vehicle for interpretation containing a playful and engaging theme running through the various locations. A more acceptable response to materials might use concrete, honestly expressed, with reference to the wall’s role of flood defence. For example, it could contain an imaginative interpretation of the flood levels

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or symbolic imagery associated with the Derby's relationship with the river and its inherent flood risk, articulated as a work of art that weaves its way through Derby's urban fabric. It could also potentially pick up on the World Heritage Site or relate specifically to picking up on the theme of flooding and its flood defences.

It is expected that any potential loss of tree cover along the route would be replaced at an appropriate level to mitigate the visual effect of their removal.

Given the scale of intervention into this sensitive area, the World Heritage Site Partnership suggests that the proposals should be referred to an independent design review body such as OPUN, or, that the design could be developed further with Derby City's own urban design team. The WHS Partnership would be willing to review any future design iterations to ensure that they do not negatively impact on the Outstanding Universal Value.

Following receipt of amendments to the planning application, the panel provided further comment and advised the following:

Comments from the Derwent Valley Partnership, in relation to OUV issues, were submitted on 6 May 2015, including suggestions for ensuring that suitable design solutions are achieved at the detailed stage that will ultimately meet the requirements of authenticity and design quality for the World Heritage Site.

The Partnership does not consider that the applicant has provided any more relevant detailed work on which to comment at this stage, with the principles of the more detailed design having been set with the City's Conservation Officer, in respect of the heritage assets that will potentially be affected as a result of these works.

We note the comments of your Development Control Archaeologist and the alterations that have been made, in consultation with Historic England, also, in respect of archaeology and the setting of heritage assets.

In view of this, our previous comments and recommendations, therefore, still stand without amendment.

Historic England:

The following comments were provided in response to the original application submission:

Thank you for consulting English Heritage on this application for planning consent affecting several nationally important designated and undesignated heritage assets (including Little Chester Roman Fort and Baths (and its undesignated civil settlement and potential earlier fortifications), Stone Prebend and Derwent House, St Mary's Bridge and Chapel, The Silk Mill and the Derwent Valley Mills World Heritage Site). We have been involved in detailed pre-application discussions with the Environment Agency and Derby City Council and their archaeological advisors over a number of years on many aspects of these proposals. We are now satisfied that the scheme as presented has minimised impacts upon principle heritage assets in the delivery of public flood protection benefits.

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It is now for your authority to balance these matters affording the required weight to heritage matters as set out in the 1990 Listed Buildings and Conservation Areas Act and the National Planning Policy Framework. At Little Chester and St Mary's Bridge as discussed in pre-application there will be a requirement for parallel application for scheduled monument consent. We are satisfied that should your authority be minded to consent this planning application, the fine detailing of works in interaction with heritage assets and the approval of archaeological schemes of investigation under planning conditions can address residual areas of remaining uncertainty and detailed specification. The scheduled monument consent process will where applicable also underpin the public interest in these matters being correctly addressed. We will endeavour to operate the SMC process such that requirements are harmonised between it and the planning process so as maximise efficiency and effectiveness.

In response to the revisions made during the course of the application, Historic England have provided two further responses and on both occasions have advised as follows:

We note the amendments made to the scheme and the continued positive reflection of our on-going engagement with the authority. Works to the scheduled monuments will be the subject of application(s) for Scheduled Monument Consent and we will continue to work with the authority to align the planning and SMC processes and associated archaeological investigation and mitigation work.

Recommendation

In the light of the above comments we recommend that the application should be determined in accordance with national and local policy and guidance. Given the scale and complexity of the project we anticipate on-going engagement with your authority on the flood defence scheme and associated works.

DCC Archaeologist:

In relation to the original planning application submission, the County Archaeologist advised as follows;

The proposals have been submitted with an Environmental Statement including a chapter on Archaeology and Cultural Heritage, which draws upon a number of pre-application archaeological and cultural heritage studies including desk-based assessment, geophysical survey and archaeological field evaluation. I propose to provide comments on the impacts of the scheme on the archaeological resource; in relation to other heritage issues – impacts on the Derwent Valley Mills World Heritage Site, Conservation Areas and Listed Buildings – I defer to the comments of the local planning authority's conservation officer, English Heritage/Historic England, and the Derwent Valley Partnership.

The proposal area includes some assets of the highest archaeological/heritage significance, including the Scheduled Monuments at Little Chester Roman fort and 'bath-house', and the Grade I Listed Buildings at Darley Abbey Mills (which also contribute strongly towards the OUV of the World Heritage Site). There are also impacts within three of the 'Archaeological Alert Areas' designated at a local level by

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the local planning authority (City of Derby Local Plan Review 2006), to guide development within the medieval core of Derby, the areas of Roman activity north and east of the centre (Strutt's Park, Little Chester and the Racecourse), and the area of the medieval Augustinian Abbey at Darley Abbey. At a lower level of significance the scheme may impact upon numerous undesignated archaeological sites and areas with potential for previously undiscovered archaeological remains.

Having reviewed the Archaeology and Cultural Heritage chapter I advise that it provides an accurate heritage baseline for the proposed development, and that the assessment of significance and impact provided therein is guided by an appropriate weight of evidence including substantial archaeological field evaluation in the area of the Little Chester Roman fort – to the south on Parker's Piece, to the north on Darley Playing Fields, and within the Scheduled Monument itself. I recommend that the application therefore meets the requirements of NPPF para 128 in relation to below-ground archaeological remains.

The Archaeology and Cultural Heritage submission also includes details of proposed archaeological mitigation (excavation/recording) for archaeological remains along the course of the proposed development. This makes provision for pre-commencement archaeological evaluation, where sensitive archaeology may be present (for example the remains of the 18th century silk mill leat beneath Sowter Road, and within Archaeological Alert Areas) or where a small amount of pre-commencement trenching would help to guide the scope of strip-and-record or watching brief during the development works. The mitigation strategy is guided by an Archaeological Mitigation Strategy at ES Appendix 5.3: this document provides a useful overview and rationale and will be key in informing a more detailed approach at the post-consent stage. Some details of the mitigation proposed for individual assets could be questioned: for example a blanket 'strip-and-record' approach to industrial heritage assets is likely to introduce a significant amount of wasted resource, which could be better targeted by carrying out a limited pre-commencement evaluation of these areas to guide the 'strip-and-record' to areas of significance only. There are also areas of high significance (such as the Little Chester fort and vicus) which will need a formal scheme of full excavation rather than merely 'strip-and-record' (which tends to be a more rapid treatment): these are nationally important remains and must be treated accordingly.

However, these issues with the detail of the proposed mitigation strategy could adequately be managed at the post-consent stage through the production and approval of detailed Written Schemes of Investigation (WSIs) for the archaeological response at each phase of the proposed development, secured by planning conditions. These documents would provide the local planning authority with the wherewithal to manage the details of the archaeological mitigation process and to ensure that the allocated resource was appropriate at each stage. In general, the mitigation toolkit proposed in the application is appropriate: pre-commencement work (evaluation, geophysics, desk-based work) to look at sensitive areas and target resource, and then a combination of watching brief, strip-and-record and (in sensitive areas) full excavation to provide a record of the remains to be impacted. Within the

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Scheduled Monument the archaeological works will require Scheduled Monument Consent and will also need approval by English Heritage/Historic England.

I therefore recommend that the line proposed for the flood defence – although it will undoubtedly have archaeological impacts – is guided by sufficient archaeological information, and in relation to the Little Chester Scheduled Monuments represents the best possible solution based upon available data. Although there will be harms to significance where remains of the fort and vicus are impacted these are minimised through the design approach: avoiding routing of the defence directly along any known linear element (rampart, ditch, road etc), using blank areas established during evaluation, and following the disturbance associated with the existing defence around the western edge of the scheduled area.

Should the local planning authority be minded to grant consent for these proposals (i.e. because the public benefit of the scheme outweighs the moderate archaeological impacts), I recommend that the archaeological mitigation strategy be managed by planning conditions to ensure adequate archaeological investigation and recording, guided by detailed WSIs for each phase of development.

The following conditions should therefore be attached to any planning consent:

- "a) No development in any phase shall take place until a Written Scheme of Investigation for the archaeological work in that phase has been submitted to and approved by the local planning authority in writing, and until any pre-commencement element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"
- "b) No development in any phase shall take place other than in accordance with the archaeological Written Scheme of Investigation for that phase approved under condition (a)."
- "c) No phase of the development shall be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation for that phase approved under condition (a) and the provision to

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be made for analysis, publication and dissemination of results and archive deposition has been secured."

Following formal consultation on amendments made to the application, the County Archaeologist advised that he had provided substantive comments in relation to archaeological issues including suggested planning conditions to manage post-consent archaeological work. He suggested that the applicant has subsequently made alterations to the proposed line of the flood defences to the north and west of the Little Chester Roman fort, and within the Scheduled Monument itself. Because of the direct and setting impacts to the Scheduled Monument the local planning authority should seek the view of Historic England on these alterations. The archaeologist indicates that he is satisfied that the proposed changes will in general result in positive outcomes for below-ground archaeological remains. In particular, the realignment of the proposed wall to the west of Little Chester in the light of new information is more likely to preserve in situ the line of the western fort rampart, and also has setting benefits in terms of the listed buildings at Derwent House and Stone House Prebend. He states that previous comments and recommendations are therefore still pertinent in relation to the revised scheme, including suggested condition wording.

In response to further consultation undertaken following the receipt of revised plans, the County Archaeologist provided the following two responses;

I provided substantive comments to the local planning authority in relation to archaeological issues (e-mail of 23/03/2015), including suggested planning conditions to manage post-consent archaeological work. The latest set of amendments do not substantially alter the comments and recommendations made in my previous consultation responses. I note the relocation of the Little Chester site compound to the council depot area, and the observation that the re-use of the compound hardstanding for the proposed bowling green car park will ensure that archaeological impacts are not increased. My previous comments and recommendations therefore still stand in relation to the revised scheme, including suggested condition wording.

I provided substantive comments to the local planning authority in relation to archaeological issues (e-mail of 23/03/2015), including suggested planning conditions to manage post-consent archaeological work.

The applicant has subsequently made alterations to the proposed line of the flood defences to the north and west of the Little Chester Roman fort, and within the Scheduled Monument itself.

Because of the direct and setting impacts to the Scheduled Monument the local planning authority should seek the view of Historic England on these alterations.

I am satisfied that the proposed changes will in general result in positive outcomes for below-ground archaeological remains. In particular, the realignment of the proposed wall to the west of Little Chester in the light of new information is more

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likely to preserve in situ the line of the western fort rampart, and also has setting benefits in terms of the listed buildings at Derwent House and Stone House Prebend.

My previous comments and recommendations are therefore still pertinent in relation to the revised scheme, including suggested condition wording.

Environment Agency:

The comments provided by the Environment Agency are outlined in full.

Our City Our River provides a unique opportunity for Derby City Council and partners to reduce flood risk in Derby, protect the city's heritage and promote sustainable economic development.

The Environment Agency remain committed in ensuring that proposals come forward within environmental limits and look forward to continuing our close working with your Authority in achieving flood risk, environmental and economic benefits through this single co-ordinated project.

Accordingly, we have no objection to the proposed development, as submitted, subject to the imposition of the following conditions on any planning permission:

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 6 February 2015 and the following mitigation measures detailed within the FRA:

- Suitable property level protection to the appropriate design level is offered to the occupants of the properties in Darley Abbey identified in fig. 8.5 of the FRA prior to the completion of Package 1.
- A suitable scheme shall be submitted that demonstrates potential scour at St Marys Bridge will not destabilise the structure, prior to the commencement of Package 1.

The mitigation measures shall be fully implemented in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To ensure properties within this Package are adequately protected from flood risk and structures are not adversely affected by the scheme.

Condition

Prior to the commencement of Package 2, demonstration that any increased hydraulic loading on buildings that remain in the conveyance corridor in Stuart Street, shall not cause structural damage to those buildings, shall be submitted to and approved in writing by the local planning authority.

Reason

To ensure structural integrity of remaining buildings in Stuart Street is not compromised by the Our City Our River scheme.

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Condition

Before work to implement Package 2, no development shall take place until such time as a scheme to demonstrate that all users of the Riverside (Stuart Street) will have a safe evacuation route or safe refuge during a flood has been submitted to, and approved in writing by, the local planning authority. The scheme shall be approved in conjunction with the local planning authority Emergency Planners.

The scheme shall be fully implemented in accordance with the phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To ensure residents of Riverside (Stuart Street) have safe access and egress at the completion of this package.

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 6 February 2015 and the following mitigation measures detailed within the FRA:

- Property Level Protection to the appropriate design level is offered to the occupants of the properties as per section 9.3.7 of the FRA prior to the completion of Package 2.
- A suitable scheme is submitted to alleviate any increased flood risk on Chaddesden Brook and Markeaton Brook, caused by the backing up of the River Derwent. The scheme must include suitable measures to prevent increased flood risk from backing up of both brooks.

The mitigation measures shall be fully implemented in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To ensure properties within Package 2 are adequately protected and to prevent any increase to flood risk.

Condition

No development shall take place until a landscape management plan, including the locations of proposed enhancements and habitat creation, long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. We ask to be consulted on the suitability of any such plan. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing.

The scheme shall include the following elements:

- detailed drawings of the location and construction of water-dependent habitat to be created as part of the scheme;

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- details of treatment of site boundaries and/or buffers around waterbodies;
- details of management responsibilities;
- details of maintenance regimes;
- detailed extent and type of new planting (planting to be of natives species and of local provenance, wherever possible).

Reason

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national and local planning policy.

Informative

The National Planning Policy Framework (NPPF) recognises we must achieve net gains in biodiversity, conserve and enhance the natural environment and reduce pollution. One of the key outcome measures in the agreed Business Plan for the Our City Our River scheme is for 19.1ha of habitat is created to support the Water Framework Directive objectives.

Condition

Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the local planning authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A site investigation scheme, based on the existing desk study and site investigation reports to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To protect the underlying secondary A aquifer from contamination.

Condition

The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during

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construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason

To prevent silt pollution of the River Derwent and its tributaries.

Condition

During the construction phase any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata.. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. No rainwater contaminated with silt/oil from disturbed ground during construction must drain to surface water sewer or watercourse without sufficient settlement.

Reason

To prevent oil pollution of the River Derwent and its tributaries.

As you are aware the discharge of planning conditions rests with the Local Planning Authority. It is, therefore, essential that you are satisfied that the proposed draft conditions meet the requirements of the Planning Practice Guidance 'Use of Planning Conditions'. Please notify us immediately if you are unable to apply our suggested conditions, as we may need to tailor our advice accordingly.

Following further consultation the EA advised as follows:

Environment Agency Position

After reviewing the design changes to the Our City Our River development, the Agency still has no objections to this development.

The conditions and information detailed in our previous response on the 23rd June 2015 are still applicable to this planning application.

In addition to our previous response we have the following conditions and comments to make:

Flood Risk

The Environment Agency do not have experience of flood gates of this scale in the UK and the Local Planning Authority needs to be satisfied with the proposed design and operation.

Biodiversity

Condition

No development shall take place until a scheme for the provision and management of replacement tree/seed planting (reinstatement and mitigation) has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the approved scheme. The scheme shall

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include details of the location, extent and type of replacement planting. Trees removed from the river corridor should be replaced along the river corridor ensuring continued connectivity and no net loss in biodiversity.

Reason

To ensure no net loss of biodiversity, in line with national and local planning policy.

Informative

The Humber river basin management plan (to which all local authorities have a duty to have regard to), requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. Appropriate riparian management forms part of this requirement.

Condition

No development shall take place until a plan detailing the protection and/or mitigation of damage to populations of White-clawed crayfish and Water vole, both protected species under the Wildlife and Countryside Act 1981 (as amended) and their associated habitats during construction works and once the development is complete. Any change to operational, including management, responsibilities shall be submitted to and approved in writing by the local planning authority. The White-clawed crayfish and Water vole protection plans shall be carried out in accordance with a timetable for implementation as approved. The plan shall be based on the results of an up-to-date survey carried out by a suitably experienced surveyor using recognised survey methodology at an appropriate time of the year (noting that surveys are valid for no more than 2 years). The survey should: · identify the status and extent of the White-clawed crayfish and Water vole populations; · assess the importance of the population at a local, regional and national level; · identify the impacts of the scheme on the population; · demonstrate how the development will avoid adverse impacts; · propose mitigation for any adverse ecological impacts or compensation for loss; · propose wildlife/habitat enhancement measures; · propose post-project appraisal, management plans and management responsibilities with details of how biodiversity enhancement will be incorporated into the development and maintained over the long term.

Reasons

To protect White-clawed crayfish and Water vole and their habitats within and adjacent to the development site.

Applicant information - survey licence requirements

Note that a licence will be required from Natural England to survey for, and, where any proposals are made as a last resort, to re-locate legally protected species. For further information and guidance on European Protected Species and licensing procedures see the Wildlife Management and Licensing Guidance from Natural England. Further information and guidance on UK protected species and licensing can be found under the Defra web pages for the Wildlife and Countryside Act 1981.

Condition

No development until a detailed method statement to prevent the import or spread of invasive species (including, but not limited to, Himalayan balsam and Japanese

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knotweed) on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include measures that will be used to prevent the spread of invasive species during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reasons

To prevent the spread of non-native invasive species, listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Natural England:

The following comments were provided;

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Local sites

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

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Impact Risk Zones for Sites of Special Scientific Interest

Natural England has recently published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs and developers to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. Further information and guidance on how to access and use the IRZs is available on the Natural England website. Natural England following consultation.

Response to further consultations,

Natural England have advised the following;

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk

Local sites

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

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the

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National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’*. Section 40(3) of the same Act also states that *‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’*.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015, which came into force on 15 April 2015, has removed the requirement to consult Natural England on notified consultation zones within 2 km of a Site of Special Scientific Interest (Schedule 5, v (ii) of the 2010 DMPO). The requirement to consult Natural England on *“Development in or likely to affect a Site of Special Scientific Interest”* remains in place (Schedule 4, w). Natural England’s **SSSI Impact Risk Zones** are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments *likely to affect a SSSI*. The dataset and user guidance can be accessed from the gov.uk website.

Derbyshire Wildlife Trust:

Three formal responses have been received from the Trust following the receipt of amendments to the planning application. The responses provided by the Trust are outlined in full.

Derbyshire Wildlife Trust have been involved in a number of elements of the OCOR project including a meeting in May 2014 (7.5.14) to discuss the draft Environmental Statement (2013) and the extent of the surveys undertaken at that time to inform the EIA process.

At that meeting we raised a number of issues regarding the survey work, but our primary concern related to the implementation of the biodiversity measures and their long term security. The OCOR scheme has been based on the premise that biodiversity gains were to be achieved on an area in the region of 19ha and Ecological Opportunities plans were produced. However, these plans could not be relocated in the application submission details and it is still very unclear where these might be achieved and more importantly how on-going habitat management is to be resourced both in the immediate and longer term.

The implications of the issues raised during this meeting have now become evident by the work associated with the Chaddesden Triangle planning application, which is now in the process of determination and this has highlighted the complexities of the planning issues associated with:

- a) Addressing the impacts associated within the development site itself, which are in addition to the impacts of the OCOR floodplain engineering
- b) When and how the ‘landscaped’ recreated landform on which biodiversity habitats can be achieved

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- c) Providing a mechanism by which long term habitats and biodiversity benefits can be secured over and above the management requirements of a flood defence feature.

Derbyshire Wildlife Trust are more than willing to continue to work with the Environment Agency and the City Council to try to secure these gains, however, it is very unclear within the current hybrid application how this can be secured through the development management process, and thus provide the City Council with the confidence that it can ultimately be secured.

Provision of Baseline information and EIA impact analysis

The data and information provided is broadly appropriate and DWT have acknowledged through discussion that some additional survey work will be required as the project's implementation progresses. A number of points are of note;

- Following our advice more detailed assessment of the St Mary's bridge has been undertaken
- Figures 10.1 – 10.3 of the Environmental Statement's Chapter 10 provide an indication of the baseline characteristics of the scheme, however, a number of features are omitted, such as the reptile suitable habitat at Chaddesden Sidings and there is no acknowledgement of pLWS sites along the river course.
- I would strongly recommend that in order to guide the implementation process a further set of plans are produced (Construction Implementation Biodiversity Alert Plans), which clearly identify the site specific biodiversity resources and the actions that will be needed both in terms of survey work and mitigation protocols when that part of the scheme is implemented. The comments made below identify these features and suggest how conditions can be formulated to ensure that work is undertaken at an appropriate time. This would be best achieved at this stage **prior** to determination or if necessary conditioned on the approval of the application
- The site specific Alert Plan can be used in conjunction with a generic Construction Method Statement identifying more general principles, such as precommencement checks of trees, vegetation clearance outside the breeding season etc.

Specific comments on the scheme elements are as follows;

Water Meadows Ditch LWS (Alfreton Road Industrial Estate – full application – provisional implementation 2016)

Nature of the work – reconstruction of outfall headwall and removal of trees adjacent to ditch, which is likely to involve dewatering of working area

Ecological Receptors - Fish (bullhead and brown trout) and potential for white-clawed crayfish

Mitigation Protocol – fish rescue protocol and DWT recommends a precautionary white-clawed crayfish protocol is also produced

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Note – if white clawed crayfish are unexpectedly found then a Natural England licence will be required. It is advisable that Natural England has agreed the precautionary protocol in parallel with the fish rescue protocol.

Habitat improvements – Riparian planting, suggested investigation of improvements to bed of ditch along with incorporation of white-clawed crayfish refugia.

Condition suggestion

Prior to the commencement of work at Alfreton Industrial Estate, a fish rescue and precautionary white-clawed crayfish protocol to be submitted, agreed with the LPA and subsequently implemented in full. The protocol to include timing of works to avoid fish spawning, fish rescue, dewatering protocol, on-site supervision by Ecological Clerk of Works (ECoW) and relocation points/holding facilities for fish and crayfish (if found).

St Mary's Bridge (full application - provisional implementation 2016)

Nature of Work – scour protection, currently thought unlikely to affect above water structure of bridge.

Ecological Receptors – bats have currently been scoped out of the impact analysis, but this may need to be reviewed. Fish and river bed suitable for spawning etc

Mitigation Protocol – works should be timed to avoid sensitive fish spawning periods. Impacts on bats should be reassessed once full extent and design of works is known

Condition suggestion

No additional conditions above the general ones described below are needed.

Mill Fleam Outfall (permitted development – provisional implementation 2018)

Nature of work – construction of new penstock and pumping station, removal of 50m of trees used as bat commuting corridor

Ecological Receptor – maternity bat roost in culvert. This has already been taken into account in the location of the new penstock

Mitigation Protocol – additional survey work in 2016 (or full bat activity season prior to implementation, whichever is sooner) to ascertain roost usage across the year (including potential for hibernation and swarming site).

Mitigation protocol to include timing of work to avoid most critical usage times (eg early summer maternity roost feeding, autumn swarming to hibernation site if found), working methodologies such as lighting, DWT also suggest replanting with extra heavy standards in planting season **prior** to works in location outside working area to provide some pre-compensation for loss of 50m flight line. Suggest monitoring of culvert usage for 2 seasons post construction

Note – bats and their roosts are deemed protected at all times even when unoccupied (Habitats Regulations 2010). The developer's ecologist should confirm with Natural England that the work would **not** require a derogation EPS Licence during the survey work season prior to works commencing. See notes below regarding consideration of Habitats Regulations during determination

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Habitat improvements – bat roosting access points and features incorporated into new pumping station on external elevations and on trees. Works to reprofile banks and marginal planting to Fleam (Ecological Opportunities Plan 1.10.13) including use of extra heavy standards in all planting to re-establish flight line corridor as a priority

Condition suggestion

In the full season prior to any works (2016 - 2017 or revised implementation timeframe – whichever is sooner) at Mill Fleam, the results of survey work, a Construction Method Statement and habitat reinstatement plan is submitted and agreed with the LPA and subsequently implemented. The Construction Method Statement should include the elements described in the ES and the additional suggestions detailed above.

Chaddesden Sidings (outline application – provisional implementation 2019)

Nature of work – engineered earth moving to create 120m river conveyance corridor, including loss of existing landform. Creation of >13ha of new landform. Deculverting of Derwent Parade.

Ecological receptors – this site is a pLWS and the current phase 1 survey does not clearly identify the impacts associated with the OCOR work. These impacts include;

areas of woodland that could be considered to have characteristics of wet woodland (cf 10.2.14 – 10.2.21 considers only scattered trees and tree lines).

The site supports habitat suitable for breeding ground nesting birds including lapwing (observed displaying late April 2015)

The Environmental Statement indicates that the habitats are suitable for reptile (section 10.8), although this is not shown on figure 10.2.

Loss of sand martin (and swift cf 10.2.31) nesting sites and potential kingfisher breeding sites.

Mitigation Protocol Section 10.8 details what is proposed. However, DWT would strongly recommend that this approach is reconsidered as it does not conform to best practise. A capture and holding strategy with subsequent re-release is a last resort option and if found to be necessary surveys and NE agreement of a translocation scheme, should not be left until the season prior to commencement of works. We would recommend that surveys are undertaken at least two full seasons prior to proposed works (ie 2017) in order that suitable receptor sites can be chosen and/or created and that a full trapping programme can be implemented in spring – autumn 2018, with ultimately destructive searches during 2019. If this site comes forward for development earlier this programme of works needs to be considered earlier.

A Construction Method Statements will be required for the removal of the sheet piling nesting sites in order to prevent delays to works.

Mitigation reinstatement of habitats and long term management.

This project is a package 3 scheme which will be implemented via developer contributions.

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- It is suggested that it appears a contingency may be required should the Package 3 third party funding not be achieved and the earth moving for this part of the scheme requires provision of other funds and ultimately implementation by the EA and the City in order to achieve the full OCOR flood defences.
- In either eventuality the new landform, which occupies nearly a half of the current site, will be unavailable for redevelopment and therefore will be seen by the current owners as a negative asset. DWT would suggest that the long term security and management of the 13ha new landform will be extremely difficult to achieve. We strongly recommend that consideration is given to establishing an arrangement and/or partnership, which will secure positive habitat management in the longer term.
- The proposed reinstatement principals as shown on dwg 108907 – 94121 indicate that an area of backwater and marshy grassland will be established, with a degree of replanting of trees. DWT would strongly suggest that it is made explicit in the scheme that the intention is to recreate coastal and floodplain grazing marsh UK BAP habitat on this site and that suitable secure fencing and arrangements for access for haymaking and/or grazing of stock are included in the restoration for a significant part, if not all of this area.
- The new channel for Derwent Parade appears to be a straight line 'engineered' feature and serious consideration should be given to how this can be improved for biodiversity.
- Consideration could be given to creating a sand martin bank within the flood defence embankment to the landward side of the new landform, which could be located within the vicinity of the new back water features. This could be constructed in order not to impinge on the structural integrity of the flood defence embankment.
- The creation of an artificial otter holt (see comments on general impacts below) could be achieved within this area and is in close proximity to recent records for otter sightings.

Condition Suggestions

Chaddesden Sidings will require several conditions to inform the RM/Full application and to deal with the biodiversity issues:

- The Reserved Matters/Full application should be supported by a comprehensive scheme to show the details and specification of the final surface landform, new UK BAP habitats (Coastal & floodplain grazing marsh and wet woodland), access arrangements and detail for Derwent Parade culvert.
- The scheme as submitted to indicate how the area of the new 120m conveyance corridor will be managed and habitat benefits secured in the medium/long term. This is likely to have to be achieved via a **Section 106 obligation (or similar)** rather than via condition.

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- In the two seasons prior to 2019 - or revised programme's anticipated start, whichever is sooner – a survey for reptiles should be submitted and agreed with the LPA. Should reptiles be found the submission should include full details of a translocation methodology which should be agreed and subsequently implemented.
- Prior to the commencement of works to the sheet piling on the boundary of the site a Construction Methodology Statement to ensure that nesting sand martin and kingfisher are protected from disturbance once work commences and include the design and location of replacement nesting facilities should be submitted, agreed with the LPA and subsequently implemented.

Alvaston Park – (outline application – provisional timetable 2021)

At this stage is unclear as to the nature of the biodiversity works and improvements at this site.

Condition Suggestion

The RM/full application is supported by full details of the biodiversity reinstatement in terms of design, location and resourcing of the features' management.

Ambaston Flood Bank – (permitted development – provisional timetable 2019)

Nature of Work – raising flood defence on north and west of village

Ecological Receptors – confirmed tree bat roost and previous record of great crested newt in garden pond within approx 50m of works

Mitigation Protocol The tree roost should be protected and identified to all contract staff, any tree clearance should be minimised to maintain existing flight lines

In amphibian breeding season prior to works full surveys of garden pond and field ponds within prescribed distances. If great crested newt are found suitable clearance and Reasonable Avoidance Measures need to be implemented and agreed with Natural England. Consideration will need to be given as to whether the extent of the works necessitates a EPS Licence and derogation under the Habitats Regulations (2010)

Consideration should be given to the creation of a new wildlife pond within an area with owner's agreement and the reinstatement of the flood banks with appropriate wildflower seeding.

Condition suggestion

In the full amphibian breeding season prior to the commencement of work in 2018 - or revised programme's anticipated start, whichever is sooner – for the survey of ponds for great crested newt with the results submitted to the LPA. If great crested newt are found then a full mitigation strategy to be agreed and implemented.

General Working Methodology

A number of features occur across the site which will require some standard precommencement surveys and working practises. This includes;

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- Precommencement checks of prospective bat roosts (cf 4.1.3 – 4.1.5 of bat report Appendix 10), invasive species (Himalayan balsam and Japanese knotweed) and otter activity (where works affect banks).
- A statement of General Construction Working Methodology for Biodiversity should be submitted and agreed, which details general working practices which have been highlighted in the Environmental Statement, which includes;
- Clearance of vegetation outside bird nesting season (March – August inclusive)
- Working practises, pollution prevention measures and biosecurity for working near water
- Avoidance and protection of watercourse features suitable for fish spawning
- Section fell procedures for trees with high risk of bat roosts
- Lighting arrangements for working areas for both otter and bats commuting
- Protection of works to prevent injury and trapping of otter
- Precommencement treatment of invasive species.

Where necessary protocol for removal and disposal of materials containing Japanese knotweed.

This should be secured via a **condition** and implemented through contractor's tender information.

Schedule of Ecological Opportunities

Additional ecological opportunities have been identified via the plans produced in 2013 and a schedule of these should be drawn up as part of the current scheme to clearly identify and locate features such as;

- Wildflower seeding
- Otter holts (including the one proposed at Darley Mill and additional locations such as Chaddesden Sidings)
- Green walls at North Bank and other locations
- Replanting at a minimum of 1:1 for trees lost to the scheme, except in locations where other habitats might take priority eg Chaddesden Sidings

Condition Suggestion

The submission of details and locations of works as each stage comes forward.

Summary and Conclusion

The OCOR scheme has significant implications for known biodiversity features of the river and to the general landscape and wildlife carrying capacity of the river as it flows through the City. In general terms the ecological baseline has identified the key assets, but it is our opinion that significant input is still required to address the impacts and to achieve a positive outcome of no net loss of biodiversity as current policy directs (NPPF 2012).

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Of concern are the following;

- The creation and submission prior to determination of a Construction Implementation Biodiversity Alert Plan to guide the future survey schedule and submission of design details so that they are undertaken in an appropriate timeframe
- Identification and achievement of 19ha biodiversity enhancements – Ecological Opportunities
- Long term security and management for biodiversity of these features and in particular the recreated landform at Chaddesden Sidings.
- Significant consideration should be given to creating UK BAP coastal & floodplain grazing marsh.
- A number of conditions are suggested to ensure that works are planned and implemented accordingly as the scheme progresses through each identified element.
- Additional conditions are suggested in order to ensure good general working methods and suitable protection of biodiversity and to ensure that the Ecological Opportunities are identified and implemented.
- Additionally it is recommended that some form of legal obligation is sought – either via a Section 106 or outwith the planning system – to ensure that the significant landform at Chaddesden Sidings is managed appropriately as a greenspace resource for amenity (public footpaths) and biodiversity.
- As positive identification of bat roosts have occurred we would advise that the Council consider the three tests of the Habitats Regulations (2010) in their determination of the application. These are; In the interest of Over-riding Public Importance, no alternative satisfactory solution and maintenance of the favourable conservation status of the species. It is clear that in this case the scheme meets all the criteria; however it is important to ensure that the City Council undertakes its duties appropriately.

Police Liaison Officer:

In response to the original planning application submission, the Crime Prevention Design Advisor indicated that it was appreciated that the structural defences are needed and where these reduce sight lines around public routes, for the most part, mitigation has been considered. It was noted that pre-application advice provided in respect of unsuitable movement links had been accommodated within the application submission. The Officer makes reference to the area around the Chester Green Community Centre and part 10.3.42 and figure 10.11 of the original version of the Design and Access Statement are highlighted in the comments and those sections provide visualisations for the Little Chester Central area. Here, the Officer notes that the height of flood defence wall and orientation of the path route restrict views, and the Officer notes that in other area, such as City Road visualisations show the upper section of flood wall as more open. The Officer notes that it is appreciated that this

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is in all likelihood a structural necessity but it is suggested that mitigating features of suitably located convex mirrors and lighting levels are given due consideration.

In respect of future detailed applications, the Crime Prevention Design Advisor suggests that early consultation should be undertaken with them to ensure appropriate design for community safety. Where demolition is preceding further development, and the current buildings or boundaries form part of secure enclosure for the wider area, (at Aida Bliss for example), the Officer indicates that the secure boundary is maintained pending any amended secure line.

No further comments have been made by the Crime Prevention Design Advisor following consultation undertaken on the revisions made to the planning application.

Network Rail:

In response to the original planning application submission, Network Rail provided the following comments;

The proposed flood defence scheme touches NR infrastructure in a number of places, viz. Breadsall (Alfreton Road Bridge), Derby Station Viaduct, Chaddesden Sidings, and Chaddesden Triangle. I will deal with these on a north to south basis.

Breadsall & Alfreton Road Bridge

In terms of the Booker Warehouse we would need to look closely at the relationship of the flood defence wall with the foot of the rail embankment at its closest point but this is something that can be treated by a relevant condition showing details (a section showing the relationship of wall to railway would be needed as a minimum, as per section 36).

Alfreton Road Bridge – as in pre-application discussions we maintain our objection to the proposal. There are two elements of concern. The grouting of the embankment would in fact be the ballast shoulder and we would need to be convinced that the grouting solution would be acceptable in terms of track function, drainage and geometry. However our more serious concern is in regard to the proposal for a temporary boom over the railway. The statement is made that the deployment of the boom would be only in times when the railway itself is closed, but it is by no means axiomatic that the railway will shut before the flood risk authority would wish to see the boom employed. The railway would normally remain open unless the level of water above rail level exceeded 100mm, a decision that can only be exercised by the Route itself. Were the Council to press for the closure of the railway the consequences would have to include that the cost of closure is borne by the Flood Authority, and that such a decision can only be through a secure legal agreement in which the costs of closure are covered by the Council. Bearing in mind that the closure of the line through Derby would be in excess of £200k per day we do not think the Authority would be willing to take on board this liability.

In any case the operation of the boom would have to be through approved and accredited staff in conjunction with Route Control. It should be pointed out that in the event of the Authority approving the scheme against our wishes it is impractical in any event since no access onto the railway would be allowed for either the boom

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housing or operation. We consider that the Authority need to re-examine the proposals in the vicinity of Alfreton Road and look again at a better form of permanent defence which does not impact upon the railway.

Derby Station Viaduct – we note proposals for the need for scour protection works for Derby Station Viaduct and are happy to consider this by means of condition. However you should note that the bridge has recently been listed at grade 2 and proposals will need to take that into account.

Chaddesden Sidings – In general we are supportive of these proposals, subject to fine detailing of the route of the defence and the relationship of the raised ground in relation to the operational railway both at the sidings themselves and at Chaddesden Junction at the western end of the site where the defence ties in to the railway embankment.

Chaddesden Triangle

The proposals are broadly in agreement with the discussions held with our joint venture partners St Modwen. It is likely that the flood works adjacent to the triangle site will be delivered by St Modwen/NR as part of the overall mixed use development scheme, as has already been indicated in the application. However the design works will need to include an emergency vehicular access for NR, from the Chaddesden NR depot, up to and under Derwent Parade road bridge and into the triangle site (linking into the new road infrastructure to be built thereon). This seems to conflict with the proposals for a highway drainage pumping station and will need careful resolution accordingly. This should be considered by means of an appropriate condition.

Wilmorton Rail Bridge - we note proposals for the need for scour protection works for Derby Station Viaduct and are happy to consider this by means of condition.

In relation to the changes made to the planning application, Network Rail have confirmed that the changes made in relation to Alfreton Road Bridge and Chaddesden Triangle are acceptable and they formally removed their objection to the Alfreton Road proposal as it has been amended in line with changes requested by Network Rail. In relation to Chaddesden Sidings, whilst they are disappointed with the reference to 'development site' we understand that the proper channel for the possible release of this land is through the development plan process although it is encouraging that the site was originally recognised as having potential for development. As such, no further comments are made.

Highways England:

Highways England have advised as follows:

The proposed development is not expected to have a material impact on the closest strategic route, the A38, A6, A5111, A52 and A50. Therefore, under Article 25 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Highways Agency has no objections to the proposal.

Informative note to applicant: It is noted that works are proposed to raise the existing flood embankment north of the river in close proximity to the A5111 Raynesway

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Bridge. It is stated on the application drawings that the 'raised flood defence meets the highway embankment. Tie in to be confirmed'. Whilst these works form part of the permitted development works, and as such do not form part of the planning application, detailed design of the works will still need to be agreed with the Highways Agency.

Highways England have confirmed that they have no additional comments to make following further consultation.

Derbyshire County Council Flood risk Management Team:

The team have raised no objections in principle to the application and have provided the following comments:

It is noted from the Flood Risk Assessment (FRA), which accompanies the planning application, that there has been prior consultation over a number of years with the Environment Agency (EA) regarding the proposed development. Derbyshire County Council (DCC) have no objections in principle to the proposed development however there are some concerns surrounding the flood risk to some communities within the DCC boundary. DCC historic records show that land designated as floodplain around Elvaston floods on average twice per year and during this time the public Highway becomes inundated and access to Ambaston can be totally cut off. Large parts of the community of Shardlow are known to be at risk of flooding from a number of sources and suffer regularly from flooding. The DCC flood risk management team are working closely with the Parish Council and all other relevant Risk Management Authorities (RMAs) to try to assist the local community. Breadsall has a complex network of ordinary watercourses which all discharge to the same point to reach the River Derwent. Breadsall is one of DCC's key communities having suffered a significant flood event in 2012. The community is known to be at risk of flooding from multiple sources and the DCC flood risk management team are in regular contact with the Parish Council and local community. It is the wish of the DCC flood risk management team that there is greater consultation with the adjoining Lead Local Flood Authority as the development progresses. This will allow for a greater understanding pre-development of the phased impact of the project and allow the team to better evaluate the hydraulic changes within the receiving catchments. Any works in or nearby to an ordinary watercourse require consent under the Land Drainage Act (1991) from DCC (e.g. an outfall that encroaches into the profile of the watercourse, etc). Upon receipt of any application (including the legislative fee) DCC has an 8 week legislative period in which to make a decision and either consent or object the proposals.

No additional comments have been made in response to further consultations.

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Sport England:

Three consultation responses have been received from Sport England. All three are detailed and are therefore outlined in full below;

The proposal involves the provision of a series of flood defence installations across several sites along with temporary construction works and associated long term remodelling of specific areas including playing fields and sports facilities.

The sites subject of the application are understood to form part of, or constitute a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No. 2184). The consultation is therefore statutory.

As you are aware from our previous pre-application engagement on the project, Sport England assesses proposals affecting playing fields in the light of the National Planning Policy Framework (in particular Paragraph 74) and its policy to protect playing fields, 'A Sporting Future for the Playing Fields of England' (please see link below).

<http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

Essentially Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all/part of a playing field, unless one of 5 exceptions applies:

An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no special significance for sport

- E2 The Development is ancillary to the principal use of the playing field and does not affect the quantity/quality of pitches
- E3 The Development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of playing pitch
- E4 Playing field lost would be replaced with equivalent or better playing field in terms of quantity, quality and accessibility
- E5 The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field

Sport England has liaised with national governing bodies for sport to inform this consultation process. In view of the scale of the project, the number of sites involved, the long term period of implementation, and some areas of uncertainty in relation to the detailed elements of the proposal, full feedback from the governing bodies has still to be provided.

Based on initial discussions with the national governing body representatives, it would be particularly beneficial to go through with you the timescales of each of the project phases and the different forms of mitigation presently proposed to address any identified alterations or loss.

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Having reviewed the plans provided so far, there appears to be the scope to address the relevant policy requirements through a range of playing field protection, re-provision and enhancement measures. However, it is not clear at this stage that the form of those measures and the mechanism for delivery have been established with sufficient clarity, and would meet identified needs.

In view of this, and based on the information so far included within the submission, there is currently judged to be insufficient evidence to demonstrate that the development would accord with Sport England's playing fields policy or Paragraph 74 of the National Planning Policy Framework. Therefore Sport England wishes to raise a holding objection to the application at this time.

However, Sport England is prepared to consider proposals to address the above concerns and to meet with you at the earliest opportunity to review potential mechanisms to deliver the required protection, enhancement and provision of playing fields in association with the development.

The second response received from Sport England advised as follows:

Further to my letter of 23 March 2015, our meeting of 25 March 2015 at your offices, site meeting at Darley Playing Fields / Little Chester of 13 May 2015 and subsequent meeting at your offices of 1 July 2015, I am writing to provide Sport England's updated position on the above proposal.

The bulk of the more detailed points focus on the relevant 'full application' components of Package 1 where the development is more clearly defined, whilst the outline proposals for the later phase of the scheme are the subject of 'in principle comments' that seek to set a framework for further dialogue and consultation at the 'reserved matters' stage.

It is noted that some aspects of the Package 1 works along the eastern boundary of Darley Playing Fields (Little Chester North) have, based on their currently proposed form, been adjudged by the Council to be 'permitted development' under Schedule 2, Part 15, Class A (f) of the General Permitted Development Order (GPDO) 1995 (as amended). As you will be aware, the 1995 Order was replaced in April 2015 by a new GPDO, though I understand that the provisions drawn upon in relation to this proposal have been carried forward in the new statutory instrument.

Notwithstanding this, there is clearly a recognised need to ensure that measures are in place to avoid, as far as is reasonably practicable, any impact on the playing fields or their use in this area and to mitigate any unavoidable effects. Based on the information within the submission, it is recognised that consideration has already been given to how the present pitch configuration could be temporarily adjusted to maintain continuity of provision, and that the scheme design has also taken account of the need to maximise and preserve the current extent of usable playing field in the long term.

Along the eastern playing field boundary at Darley Fields (Little Chester North) the flood embankment construction works would temporarily occupy parts of the playing field. A construction management plan including timescales for the works, routing of

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construction traffic across the site, position of contractors' compound(s), protective fencing around playing field, proposed temporary playing pitch configuration arrangements etc. should be provided to give certainty around all of these points.

Given that express planning permission will be required for a large proportion of the works at Darley Playing Fields, the pragmatic approach would seem to be to produce a construction management plan covering all of the works, whether related to permitted development or development requiring express permission as in practice it is likely that construction management arrangements would overlap across the different elements of the project.

In the event that the works would cause any damage to the retained usable playing field then this would need to be satisfactorily remediated. All of the aforementioned safeguards should be incorporated into a written submission to be agreed with the Local Planning Authority (LPA). In addition, should there be any significant changes to the project in this area, then this would need to be the subject of further consultation with Sport England so that the extent of impact and any necessary mitigation could be re-assessed.

Darley Playing Fields South / Little Chester Central

As well as the maintenance of current playing pitch provision referenced above, the main considerations in respect of 'Little Chester Central' would be the satisfactory replacement of the tennis courts / multi-use games area (MUGA) and bowling green that would be displaced by the development, and the delivery of this replacement provision (along with associated parking and storage facilities) in accordance with a timetable that supports continuity of availability for existing users.

The submitted plans show the re-provision of the bowling green in a new position to the north of Old Chester Road and the east of Centurion Way, on land that would be reclaimed mainly from a current storage area. There would also be some tennis court replacement and a new MUGA, though based on the initial submission, there would be a net reduction in facilities relative to the existing situation. The existing cricket nets would be relocated to Parkers Piece (Little Chester South), which subject to the detailed points concerning Parkers Piece set out later in this letter, would be acceptable in principle.

Following the recent site meeting in May 2015, it is understood that the proposed position of the flood defence may now be subject to modification, resulting in the potential for a more open setting to any future single replacement tennis court located to the north of the community centre on the 'wet side' of the flood defence. Although a single tennis court detached from the other proposed replacement courts to the east would not be an ideal arrangement, given the limited space available to accommodate an equivalent number of courts on the 'dry side' then it is important that this option is not discounted unless it can be shown that arrangements for suitable alternative court provision in terms of quantity and quality can be satisfactorily achieved elsewhere (Sport England Policy Exception 4 and NPPF Paragraph 74).

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At present, there are four dedicated hard tennis courts in use at Little Chester / Darley Playing Fields and a further two tennis courts marked out within a MUGA. Additionally, there are three disused grass tennis courts to the north of the existing bowling green.

Prior to formulating this response, consultation has been carried out with the Lawn Tennis Association (LTA). Although Sport England recognises that the grass courts referred to above have been decommissioned for a lengthy period and would not necessarily require their reintroduction to the site as an active facility at this time, the four dedicated hard tennis courts are currently utilised and to meet policy requirements would need to be replaced with equivalent or better provision in a suitable location.

It is acknowledged that the existing courts are not in a good state of repair and therefore creation of new fit for purpose courts would represent an enhancement in terms of quality, and would also be consistent with objectives within the Council's Outdoor Sport Strategy. However, in the current planning submission, only three dedicated tennis courts are shown on the plans, including the potentially modified single 'wet side court' referred to above, and a further MUGA with no identified tennis markings.

To create a positive park based tennis provision that has the potential to sustain a viable tennis operator and, connected to this the capacity to accommodate typical levels of demand, a four court arrangement is generally considered to be the most appropriate scale of facility for a park of this size. In some circumstances, a slightly varied model with three courts supplemented by a dual use MUGA / tennis court may also be justifiable, but this would involve selecting the correct surface for the MUGA that enabled tennis to continue to be accommodated to an acceptable standard.

Often, the primary use of a MUGA will be for recreational football and in such cases it may be possible to select a surface that is acceptable for tennis and football, albeit not the optimum surface for both sports. Any polymeric surface would tend to require a higher level of maintenance than a porous macadam (used for dedicated tennis courts), and so a suitable porous macadam may be a more durable and practical option in a park setting. Irrespective of surface material, any dual use would still create greater management requirements associated with the net installation and associated mountings required within the playing surface.

Because I understand the precise position of the flood defence is likely to be adjusted from that shown on the submitted drawings, and also since the dimensions of the two courts and MUGA are not specified on the drawing, I have not carried out a detailed assessment of the new courts as currently proposed on the 'dry side'. However, in any modified scheme, in general terms it would be important to explore the opportunity to accommodate four replacement tennis courts of a fit for purpose standard to offset the loss of existing provision.

Whilst the most efficient arrangement is usually to locate courts in a parallel block of four, if this cannot be achieved due to site constraints, then alternative configurations can be considered as long as minimum court and run off dimensions are achieved

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and the layout is consistent with a safe and manageable facility, including fencing between courts as necessary where they do not run in parallel.

Basic tennis court dimensions are 23.77 metres x 10.97 metres for all standards of play. The overall size required including run-offs is 36.57 metres x 18.29 metres for club level play and above. The same dimensions are also preferred for recreational play, though a minimum of 34.75 metres x 17.07 metres may be acceptable where site constraints preclude the achievement of the preferred dimensions. Further guidance on court and MUGA design (dimensions, surfaces, means of enclosure etc.)

At the site meeting in May, consideration was given to the principle of re-orientating the courts to the south of the flood embankment so that they would align with the angle / positioning of the embankment. As long as this could be done whilst still accommodating the correct size and layout of courts, then Sport England would have no objection to this arrangement.

A potential alternative to a dedicated four court solution could be to look at three on site courts and further replacement elsewhere, all to an agreed timescale that would ensure continuity of provision. However, such an approach would need to be supported by evidence to show the adequacy and sustainability of a reduced scale of provision at this site, along with a tangible and deliverable proposal for off-site additional facilities that would offset the loss within a suitable timescale. Information around bookings / usage levels at 'Little Chester Central' and other sites would assist in assessing the case for this potential option.

In terms of the bowling green and pavilion, again to meet policy requirements it would be necessary to replace these facilities to a timescale that would maintain continuity of provision, also allowing for the period of construction and preparation of the green. I understand that consideration has already been given to programming of works to achieve this.

Part of the works as currently presented would include the creation of some minor additions of new grass playing field just to the north of the proposed flood embankment on part of the existing storage compound and car parking areas. Although the value of these additional areas would not be significant, subject to being delivered to a suitable standard, they would contribute towards offsetting identified losses in playing field area elsewhere at the site, including the area in the south east of the site that would be occupied by the new stretch of flood embankment.

In summary, at Little Chester Central the bowling green, pavilion, four tennis courts and MUGA (along with ancillary parking) would need to be re-provided to a fit for purpose standard in accordance with a timescale that maintained continuity of provision for users. Any areas of newly extended playing field would also need to be constructed to an acceptable quality standard. A partial off-site solution for compensatory provision could be acceptable subject to being supported by robust evidence and strategic justification.

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The precise timing of the delivery in respect of the above (to fit in with overall project planning), could be dealt with by planning condition to avoid a substantive objection being lodged. However, this would be subject to the form of the overall development and specification for replacement provision being finalised in advance of any decision, and the nature of replacement provision being considered to meet the relevant policy requirements. I would be happy to discuss detailed condition wording in due course, once the form of the development and compensatory provision has worked up with more certainty. Condition wording would also need to cover construction management arrangements in respect of playing field protection and interim arrangements for continuity of provision as discussed in the introductory part of this letter.

Parkers Piece (Little Chester South)

The proposals indicate some encroachment onto the edge of the playing field at Parker's Piece, albeit this would be along the margins of the site. There would also be some alteration to the means of access to the facility.

There has already been suspension of use of the playing field and ground disturbance caused by archaeological work associated with the project. Parkers Piece has previously accommodated cricket, football and rugby and indications from Sport England's recent consultation with sports stakeholders on this application illustrates that there is demand for the resumption of active provision for these sports and 'year round activity' at the site, particularly in terms of rugby and cricket.

The proposals show that the site would also accommodate cricket nets displaced from Darley Playing Fields and that two new artificial cricket wickets would be installed. The precise location and specification for the nets could be dealt with by planning condition.

The revised access arrangements are not ideal, but are reflective of the project constraints and the need to maintain the continuity of the flood defence. Loose surface material should be avoided on access routes both to avoid contamination of the playing pitch and also to optimise disabled access. The detailed design would need to ensure suitable access for both maintenance equipment and playing field users.

To support successful reintroduction of active sports to the site, it would be important to assess the extent to which the current pavilion provides a fit for purpose facility for the relevant sports and to carry out any enhancements that would be needed to bring it up to a suitable standard.

It is vital that works to mitigate the damage to the playing field associated with the project and to enhance the playing field condition in preparation for its reuse for summer and winter sports are carried out to a satisfactory standard as informed by a robust agronomist's assessment. To avoid a substantive objection being lodged, all of the aforementioned elements could be covered by suitable planning conditions requiring detailed specification of works and an agreed timescale for delivery. I would be happy to discuss the precise wording of conditions with you in more detail in due course, also including wording to cover the construction phase. In the meantime, the

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link below may be of assistance in terms of guidance on carrying out an agronomist's assessment.

<https://www.sportengland.org/facilities-planning/tools-guidance/framework-agreements/framework-consultants-agronomy/natural-grass-pitches/>

Overall, it is considered that the Parker's Piece element of the proposal offers scope for improved provision in the long term to help outweigh the impact of minor loss and temporary suspension of its use as a result of the project, particularly through carrying out pavilion enhancements and pitch remediation and improvement works (incorporating the artificial wickets).

Alvaston Park

The Alvaston Park works comprise 'Package 3' proposals and are in outline form only, with potential implementation not scheduled for several years. Based on the level of detail provided within the application and the parameters of the development submitted for outline approval, there would be a net loss of playing field that would need to be compensated for through suitable re-provision.

Whilst the reconfiguration of pitch markings may enable a similar number of pitches to be laid out to those currently marked out at the site, this would involve more intensive use of the reduced area that would remain, and less flexibility to accommodate different layouts as and when required. Having visited the site and reviewed the planning submission, I am aware of the on-site and off-site options so far presented as available to compensate for this loss of playing field land, and on this basis I consider that there would appear to be sufficient scope to develop a suitable scheme of compensation to address the policy requirements.

Given that the works would not take place for several years, I feel that a pragmatic approach in this particular case would be to address the requirement for compensatory provision by the imposition of a planning condition that would allow the precise format and location of that compensatory provision to be finalised in more detail at the reserved matters stage, in order to better respond to identified needs at that time. However, for reasons of policy compliance and to provide a sufficient degree of precision, I recognise that it would also be important to set out the principle and parameters for the compensatory provision within any outline approval and would be happy to discuss options for doing this with you in due course.

In terms of court/MUGA facilities at Alvaston Park, the summary of existing and proposed provision within the Design and Access Statement (Figure 34) is incomplete, and the plans relating to current and future court provision are inconsistent (four courts are shown on one plan and two on others). This needs to be clarified within the formal submission, though I understand from our discussions that the project would not lead to a loss of courts at Alvaston Park and that there could be the potential to incorporate enhanced provision at the site.

Alvaston Park is an important site for cycling and measures to protect and maintain continuity of provision of sport facilities would need to cover all sports, including cycling. As with Package 1, this could be dealt with by a construction management

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plan being secured by planning condition. A condition requiring remedial works to be carried out to any retained playing field or other sports facilities affected by the development would also be needed.

Pending the submission of amended plans and proposals for satisfactory compensatory sports provision at Darley Playing Fields, clarification in respect of any changes to court/MUGA provision at Alvaston Park and in turn the preparation of an agreed form of planning conditions to secure necessary protection, enhancement and re-provision of sports facilities across the different parts of the project (should the Local Planning Authority being minded to approve the application), Sport England's objection to the application is maintained at this time.

The third response received is as follows:

Further to our recent discussions and the submission of additional / amended information and revised plans, I am writing to provide updated comments on the above proposal, the contents of which should be read in conjunction with my previous responses.

Key Changes in Relation to Sport

Having reviewed the latest submissions, the following main changes / additions that relate to sports provision both during the construction period and upon completion of the different phases of development have been identified:

- Reference to more detailed programming in respect of the loss and replacement of current sports facilities (tennis courts, MUGA and bowling green at Darley Playing Fields / Little Chester) and the reintroduction of enhanced cricket facility at Parker's Piece– particularly as set out in the 'Sports Provision Mitigation Report, September 2015'.
- Modifications to planned interim arrangements for ensuring continuation of availability of retained playing field provision (and ancillary changing/parking facilities) during construction, including revised parking configuration.
- Proposal for a block of four new permeable macadam tennis courts at Darley / Little Chester on the 'dry side' to the south and east of the flood defence, and adjoining this block a permeable macadam floodlit MUGA for recreational football, basketball and netball use.
- Planned incorporation of on-site compensatory sports provision at Alvaston Park (to offset playing field loss at Alvaston Park arising from the routing of flood defence as shown within the outline proposals) to be informed by a comprehensive master planning exercise.

Updated Assessment

Darley Playing Fields / Little Chester (Package 1)

The amended tennis court proposals are welcomed, with the block of four new courts on the dry side of the flood defence adjudged to represent an enhancement relative to the existing courts at the site and a significant improvement on previously submitted plans.

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The revised Multi-Use Games Area (MUGA) would also be considered to be an improved replacement for the current MUGA that would be lost, subject to being implemented to a suitable detailed specification.

Although (in response to Sport England comments) the dimensions of the replacement MUGA have been changed since a previous drawing that was submitted in August 2015, the currently revised size of 35 metres x 21 metres still deviates slightly from the 37 metres x 21.5 metres that Sport England would usually recommend based on relevant guidance for the sports involved. It is not clear from the Design and Access Statement why the precise current dimensions have been advanced, but in any event there appears to be the scope to readily address this without impacting on any other planning consideration either through a minor design change incorporated as a further amended plan to the current application or else secured through a planning condition requirement.

The importance of maximising continuity of sports provision across all affected sites has been raised in previous Sport England responses and meetings, and I am aware that attention has and continues to be given to this aspect of the project particularly within Package 1.

The latest information indicates that there would be disruption to tennis court, MUGA, cricket net and bowling green provision at Darley Playing Fields / Little Chester, in addition to the lack of availability of the cricket pitch that is already having a negative impact at Parker's Piece. With a project of this scale and nature, it is recognised that there may be an interval between a facility being lost and better permanent replacement being delivered, together with practical reasons why the use of a retained facility may need to be suspended or temporarily modified. However, in such cases it is necessary to help mitigate negative impact by providing suitable interim arrangements to meet identified needs in the short term and to deliver an improved facility to outweigh the short term harm by long term benefits.

In terms of Darley Playing Fields, the updated submission indicates that provision for football would be substantially maintained during the course of the development, along with suitable ancillary changing and parking facilities. Based on the latest submission though, there still remains some uncertainty around precisely when pitch reconfiguration would be implemented. There is also no firm proposal for addressing the needs of users during the gaps between the loss of other sports facilities at Darley Playing Fields / Little Chester and the delivery of replacement facilities, or precise timescales for when the new facilities would be delivered. The detailed specification for the replacement bowling green and ancillary parking / pavilion additionally needs to be developed in more detail.

In respect of Parker's Piece, it is unfortunate that availability of the site has already been disrupted for well over a year, but it is recognised that the project does offer the opportunity and some already clear proposals to offset this negative impact and provide a better facility in the long run. As set out in previous correspondence, consultation with national governing bodies for sport has illustrated that there is demand for active re- provision here, particularly for cricket and also as an additional

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resource for rugby which would assist in achieving year round activity. In order to ensure that the reinstated playing field, including cricket wicket, would be provided to an acceptable standard, a detailed specification (informed by a qualified agronomist's assessment would be required). The relocation of cricket practice nets from Darley Playing Fields is supported in principle. However, the re-use of any existing equipment would be dependent upon this being fit for purpose and the associated specification incorporating new components where necessary, along with a detailed timescale for delivery.

Again as outlined in earlier correspondence, the detailed proposals for the access should address disability access requirements and additionally there is a need to ensure satisfactory provision for maintenance purposes. Improvements to the pavilion would also be necessary to support the optimum long term use of the reinstated playing field, and thereby help to offset the temporary, yet protracted, disruption and loss of availability associated with the flood defence project.

During our discussions it has been acknowledged that the above points need to be addressed, and on the basis of this recognised commitment to doing so and the latest information within the planning application, it is considered that planning conditions could be used as a mechanism for achieving an acceptable solution in this case, and also allow flexibility to respond to the most up to date position in terms of sports needs and project delivery in order to deliver positive outcomes for sport.

Subject to satisfactory conditions being agreed with Sport England to cover the points below, then the development at Darley Playing Fields, Little Chester and Parker's Piece could be considered to meet a combination of Exceptions 2, 3, 4 and 5 of Sport England's Playing Fields Policy and National Planning Policy Framework Paragraph 74:

- Construction Management Plan including timescale for each phase of the works, timing of loss of specified sports facilities, routing of construction traffic across the site(s), position of contractors' compound(s), protective fencing around retained playing field, and precise form of temporary playing pitch re-configuration at Darley Playing Fields as well as accompanying ancillary changing / parking arrangements and the timing of delivery to secure continuity of provision. (This is needed to ensure that continuity of sports provision is optimised, and any temporary impact is identified and satisfactorily mitigated. Though some information is already provided, this needs to be expanded upon to cover all of the above.);
- Details of precise specification and timescale for the delivery and availability of replacement / enhanced / new sports provision including the proposed new usable playing field area(s), tennis courts, MUGA (including revised dimensions), bowling green and ancillary facilities at Little Chester / Darley Playing Fields together with enhanced playing field (informed by agronomist's assessment), new artificial wickets, cricket nets and pavilion at Parker's Piece. (This is needed to ensure that the new / enhanced / replacement facilities are fit for purpose, of sufficient benefit to sport to offset the permanent and temporary

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loss of facilities associated with the development and delivered to an acceptable timescale.);

Remediation of any other incidental damage to retained / reinstated playing fields across affected sites to a standard at least equivalent to that prior to the commencement of the development and a timescale for implementation. (This is needed to ensure that any damage associated with construction works does not result in long term negative impact on playing fields.);

- Details of any off-site interim sports provision to offset any temporary loss of existing sports facilities. (This is needed to limit the short term negative impact resulting from loss of on-site facilities during the construction process and pending the availability of replacement facilities).

Alvaston Park

The contents of my previous letter in respect of Alvaston Park remain largely applicable, though points of clarification in the resubmission now indicate no proposed change to court/MUGA facilities at the site. Having reviewed the latest details and supporting information, I am of the view that there would be the scope to develop a suitable scheme of compensation within the application site in order to offset the identified quantitative loss of playing field resulting from the proposal.

The proposal to prepare a masterplan for the whole park to help inform the precise details of the compensatory measures is supported but, as stated in my earlier response, for reasons of policy compliance and to provide a sufficient degree of precision and certainty, it would be important to set out the parameters for compensatory provision at the outline stage in order to determine a proportionate scale of replacement / alternative sports provision to offset the loss arising from the development.

As the playing field land that would be lost is not surplus to requirements then the form of compensatory provision would need to accord with Exception E4 (replacement playing field) and / or Exception E5 (alternative on site sports facilities that would deliver increased benefits to sport). Informal recreational space would not be acceptable mitigation. To meet the policy requirements the form and extent of sports provision would need to be reflective of the quantity and value of the playing field that would be lost. The area of playing field lost could be taken as a starting point to calculate a cost of replacement (Sport England publishes standard costings for new playing field construction), but any mitigation package would also need to take into account the configuration of the playing field land lost to ensure that it provided sufficient benefit to outweigh the negative impact.

Subject to satisfactory conditions being agreed with Sport England to cover the points below, then the development at Alvaston Park could be considered to meet a combination of Exceptions E3, E4 and E5 of Sport England's Playing Fields Policy and National Planning Policy Framework Paragraph 74:

Construction Management Plan including timescale for each phase of the works, timing of loss of specified playing field, routing of construction traffic across the

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site(s), position of contractors' compound(s), protective fencing around retained playing field, and precise form of any temporary playing pitch re-configuration or other adjustments to other sports facilities as well as accompanying ancillary changing / parking arrangements and the timing of delivery to secure continuity of provision. (This is needed to ensure that continuity of sports provision is optimised, and any temporary impact is identified and satisfactorily mitigated.);

- Remediation of any other incidental damage to retained / reinstated playing fields or sports facilities to a standard at least equivalent to that prior to the commencement of the development and a timescale for implementation. (This is needed to ensure that any damage associated with construction works does not result in long term negative impact on playing fields or other sports facilities.);
- Details of any off-site interim sports provision to offset any temporary loss of existing sports facilities. (This is needed to limit the short term negative impact resulting from loss of on-site facilities during the construction process and pending the availability of replacement facilities).
- Details of proposed compensatory sports provision to offset the quantitative loss of playing field land and timescale for implementation.

Bass Recreation Ground

As highlighted in our previous discussions, the proposed contractors' compound at the Bass Recreation Ground is shown as encroaching onto the cricket outfield. There appears to be no rationale for this and in line with above requirements, any interference to the sports facilities needs to be avoided if possible and any short term damage satisfactorily remediated.

Conclusion

Sport England would be prepared to withdraw its objection to the application subject to full detailed condition wording or suitable alternative mechanism being agreed with Sport England to secure necessary protection, enhancement and re-provision of sports facilities as set out above. Sport England has 'model condition' wording that can be adapted to assist with this (copy attached). I would be willing to discuss the required condition wording (including timescales for details to be submitted) with you during the course of the coming week if this would be of assistance, with a view to this being finalised at the earliest opportunity.

Royal Society for the Protection of Birds:

The RSPB provided the following comments;

Owing to the case load we are dealing with at present we have not been able to scrutinise every part of the application, but we would like to raise the following concerns about the way in which the ecological impacts have been assessed.

- 1) Cumulative impacts on ecology are not well described or acknowledged to be at all significant.

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This project covers a very large area and will very clearly involve damage to or loss of numerous small features that are of value for biodiversity, if only in a very local context. These include trees, hedgerows and vegetation along watercourses, scrub and other woody vegetation and potentially, small areas of grassland with minor local botanical interest. Many of these are on public land, some are in private gardens etc. The approach taken in the ecological appraisal seems to have been to assess the value of each feature in turn, and largely in isolation. In a project of this scale, we would like see the cumulative impact of all these changes assessed. The removal of so many trees from within the floodplain landscape, for example, could well have a measurable impact on the ecological coherence of the landscape for wildlife like bats and some birds, even if individually many of those trees are “amenity trees” and of low value for wildlife.

Taking one small portion of the scheme, for example, Drawing #14 (Little Chester, Central) shows at least 50 trees and shrubs to be removed. While protected species may not suffer much (few protected species tend to occur in amenity grassland, parkland and gardens) the total effect of removing all this woody vegetation may not be so insignificant as the ecological appraisal suggests, here in the Little Chester area and if multiplied up across the full extent of the project.

The Ecological Consultants should be asked to assess the cumulative impact on ecology and the coherence of the local ecological network, from the sum total of all the predicted loss of trees and other vegetation across the whole scheme.

2) Lack of clarity around compensation

We are far from convinced that the scheme includes appropriate measures to compensate for the quantity of trees etc that will be lost as a result of this proposal. The preliminary ecological appraisal recommends that any scrub, hedgerows and trees should be replaced to ensure no net loss. It is not at all clear that this aim has been incorporated into the scheme design. We can find no overview of the proposals or anything like a “balance sheet” of habitats gained and lost. If we again take Little Chester as a sample, drawing #15 shows 7 small amenity trees to be planted (against an expected loss of over 50 in this small area). This level of compensation does not even come close to ensuring no net loss in the context of this part of the scheme, and we would be even more concerned if this pattern is repeated across the project area as a whole.

The plans and other documents provided should be amended to show very clearly where compensation planting will be provided, to a level and quality sufficient to at least provide like for like compensation as close as possible to the site of each lost tree etc. Where local and like-for-like replacements are not practical (for whatever reason), the proposed means of providing compensation and improving ecological coherence across the wider project area should be clearly explained, with cross references to relevant maps. The Ecological

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Consultants should be asked to provide an overview plan of the ecology mitigation and compensation strategy, bearing in mind that currently the scheme appears likely to end in a local loss of biodiversity in some areas.

Conclusion:

Such a large scheme, and one that is mainly on public land, should aim to enhance biodiversity in line with the requirements of the National Planning Policy Framework. At present, the scheme seems likely to end in a net loss of biodiversity through large-scale “hard” engineering works. Significant improvements need to be made to ensure this is not the end result.

In response to further consultation the RSPB advised that their comments were unchanged.

Severn Trent Water:

I confirm that Severn Trent Water Limited has no objection to the proposal subject to the inclusion of the following:

Condition 1

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Suggested Information

Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

Western Power:

Western Power have confirmed that they have 11,000v cables crossing and also situated in the river at the locations outlined in the application. It is advised that any works to alter these cables as a result of the flood defence works would be chargeable.

The Canal and River Trust:

The Canal & River Trust is a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in 2011 under the organisations former name, British Waterways. The 2011 issue introduced a notified area for

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household and minor scale development and a notified area for EIA and major scale development.

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

We are happy to comment on particular applications that fall outside the notified areas if you would like the Canal & River Trust's comments in specific cases, but this would be outside the statutory consultation regime and must be made clear to us in any notification letter you send. The document Development Management and British Waterways, issued to all LPAs with the changes to the notified areas in 2011, highlights some areas where specific cases may occur. This and further information on Planning and the Canal & River Trust can be found at: www.canalrivertrust.org.uk

Derby Museums:

The following comments were received in response to the original consultation:

Derby Museums has recently submitted an application to Heritage Lottery fund for a £16.4m project to redevelop Derby Silk Mill, as a new Museum of Making for Derby. The project includes a £4m capital commitment from Derby City Council. The Silk Mill is one of Derby's most significant heritage assets - it is the site of the world's first factory, the southern gateway to the UNESCO inscribed world Heritage site and contains Grade 1 and Grade 2 listed elements. As the Silk Mill is situated in the flood plain of the river Derwent the redevelopment includes plans to increase the flood resilience to protect the heritage of the building itself and the collections within it. These outline plans have been developed using the flood levels proposed by the OCOR project. Please see attached Outline Flood Mitigation plans.

We have no objections to the proposals in the OCOR scheme, however we would like to be involved in further discussions for the landscaping of the land outside the back entrance to the Silk Mill. We understand the need to lower the ground level, remove trees however this also provides an opportunity to link this area more closely to the heritage of the Silk Mill and the Derwent Valley World Heritage Site. This could be through the choice of planting, objects, seating, signage, interpretation and also the consideration of some parking facilities on this site which would benefit the new Museum of Making as a visitor attraction and Derby's visitor economy. I would be grateful if you could take these comments into account and involve Derby Museums as plans progress.

Friends of Darley open Spaces:

These comments are made on behalf of Friends of Darley Open Spaces (FoDOS) whose remit is Darley Park, Derwent Park, Chester Green, Parkers Piece, Darley Fields and the Darley and Nutwood Nature Reserve. The Committee has reviewed the planning application in the context of the impact upon the open spaces and has comments on two key areas:

Darley Fields South.

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Firstly, the impact of the walls proposed as part of the flood defences at the southern end of Darley Fields. It is recognised that there are significant constraints in producing a design for this area and that in particular the requirements of both Historic England and Sport England need to be taken into account. However, the resulting complicated arrangement of flood defence walls will seriously undermine this important route into the playing fields and the footpath/cycle connections to Folly Road and beyond. The walls will be visually very dominating, and taking into account the narrowness of the gap and their height at the point where they run either side of the footpath will be likely to result in community safety related issues. The significance of the archaeology in this area is recognised but it is nevertheless considered that the layout of the flood walls needs to be further considered to minimise the visual impact and to create a safe, and user friendly route through Darley Fields for all users. Furthermore, the area indicated as a potential tennis court to the west of the footpath will look particularly unsightly and harsh when viewed from the south and taking into account it is enclosed on three sides by flood walls and a 3m high fence on its southern side will also be an area which would be poorly surveilled and therefore likely to result in community safety issues. It is therefore queried as to whether the flood walls are the only solution in this area and whether there is scope for the design to be reviewed to enable the issues identified above to be addressed.

Parkers Piece.

The wholesale tree removal on the east side of Parkers Piece alongside City Road will have a significant visual impact on the Chester Green Conservation Area. There is no indication on the relevant drawing of any replacement tree planting although it is noted that this is referred to in the Design and Access Statement (DAS) but it will clearly be many years before any new trees have a significant impact. The DAS does not really justify the necessity for the removal of the trees, stating only that other constraints means that their retention is not possible. Taking into account the impact of the loss of the trees in visual terms upon both the character of Parkers Piece and the Conservation Area and the loss of biodiversity it is considered that this area is not satisfactorily resolved and should be reviewed.

It is noted that both these areas fall within the full planning application package and as such represent the detailed proposals and as such need to be properly addressed before a decision is made on the planning application.

8. 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

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GD8	Infrastructure
GD9	Implementation
R1	Regeneration Priorities
R6	Darley Abbey Mills
CC1	City Centre Strategy
CC8	Riverside – Derwent Street
CC12	Full Street Police Station, Magistrates Court and Cathedral Gardens
EP3	Pride Park
EP6	Chaddesden Sidings, West
EP7	Chaddesden Sidings, South
EP11	Development in existing business and industrial areas
E2	Green wedges
E4	Nature Conservation
E5	Biodiversity
E6	Wildlife Corridors
E7	Protection of habitats
E8	Enhancing the natural environment
E9	Trees
E12	Pollution
E13	Contaminated land
E16	Development close to important open land
E17	Landscaping schemes
E18	Conservation areas
E19	Listed buildings and buildings of local importance
E21	Archaeology
E22	Historic Parks and Gardens
E23	Design
E24	Community safety
E27	Environmental art
E29	World heritage site and its surroundings
L1	Protection of parks and public open space
L2	Public Open Space Standards
L4	New or extended public open space
L5	Outdoor recreation
L6	Sports pitches and playing fields
L9	Former Derby canal
L12	Protection of community facilities
T1	Transport implications of new development
T4	Access, parking and servicing
T6	Provision for pedestrians
T7	Provision for cyclists
T10	Access for disabled people
T13	Protection of railway lines and canal routes
T14	Public rights of way
T15	Protection of footpaths, cycleways and routes for horseriders

Classification: OFFICIAL

Committee Report Item No: 2

Application No: DER/02/15/00210/DCC

**Type: Hybrid – Full (Reg 4)
and Outline elements**

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.

8. Officer Opinion:

This section of the report will be sent to Members at a later date and Members will be updated of any further changes at the Committee meeting. (The additional information will largely cover the officer opinion section and concluding elements of the report which were still in the process of being collated by the deadline for publication of the report because the re-consultation deadline for the application only expired on Friday 2 October and detailed consultation responses have required full appraisal.).

9. Recommended decision and summary of reasons:

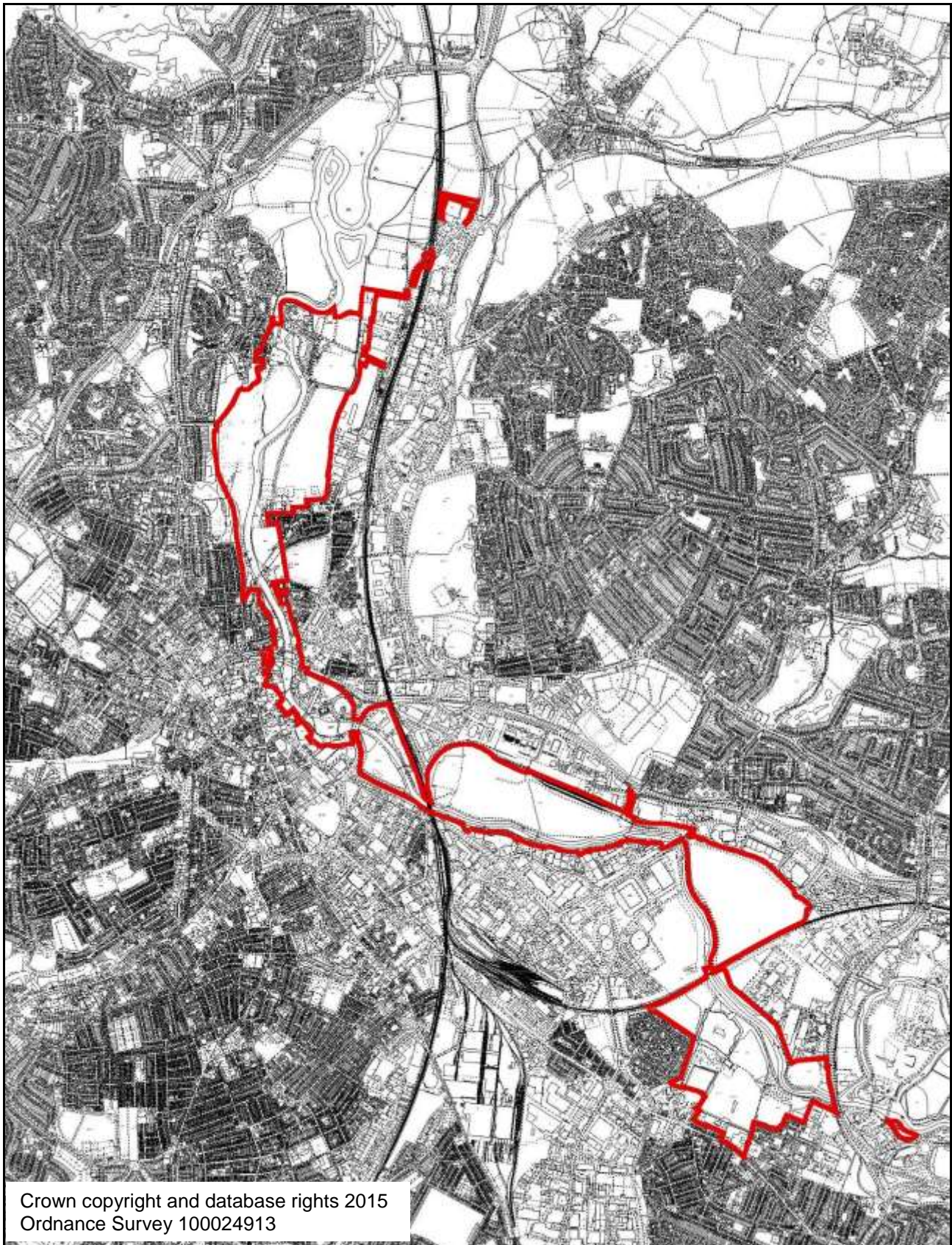
To grant planning permission with conditions.

Classification: OFFICIAL

Committee Report Item No: 2

Application No: DER/02/15/00210/DCC

**Type: Hybrid – Full (Reg 4)
and Outline elements**



Classification: OFFICIAL

1. Application Details

Address: 4 Lorraine Close, Shelton Lock.

Ward: Chellaston

Proposal:

Single storey extension to existing bungalow (living/dining area, hall, bedrooms, ensuite, bathroom and w.c.) and erection of an additional bungalow

Further Details:

Web-link to application –

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 98427>

Number 4 Lorraine Close is a detached two-bedroom bungalow. It is situated in a corner plot at the north-eastern end of a residential cul-de-sac. The property has a simple appearance and is constructed of traditional red brickwork with a front facing gabled roof. To the south-east of the bungalow is a detached double garage accessed via an existing dropped kerb off the cul-de-sac.

The streetscene along Lorraine Close is made up of 1970's bungalows which are all very similar in terms of their form, scale and materials of construction. The properties are generally situated in fairly modest garden plots and served by short driveways which run along their side elevations.

The application site covers some 935 square metres in total incorporating the garden area of No. 4 Lorraine Close, together with additional garden land to the east and south. The land in question wraps around the rear of No. 3 Lorraine Close and abuts the gardens of properties on Weston Park Avenue to the south and east, and Carlton Avenue to the north. The land levels across the site are fairly flat and the area is predominantly laid to lawn with some low-level vegetation. The site's rear boundaries are enclosed by a mixture of fencing and vegetation.

The proposals

Planning permission is sought to extend the existing bungalow at No. 4 Lorraine Close providing two additional bedrooms and enlarged living accommodation. The extension would project approx. 5m to the rear of the bungalow and then extend, at an angle, approximately 14m to the east. The extension would be no higher than the existing ridge on the roof of the bungalow measuring approx. 4.2m in overall height.

The application also proposes to erect a detached three-bedroom bungalow on the site. This new building would be situated to the south of the site at the rear of No. 3 Lorraine Close. It would be erected on an L-shaped footprint and its form and scale would follow the simple appearance of the existing bungalow on the site. The property would have a gabled roof which would be approx. 4.2m to its ridge. It would be served by its own private garden area to the south.

To provide vehicle access into the new development the existing garage on the site would be demolished and the driveway widened and extended along the southern

site boundary. Both properties would be served by a newly created central turning area and four off-street parking spaces (2 allocated to each dwelling).

During the course of the application the development has been amended. A previously proposed annex has been removed from the scheme and the overall footprint of the proposed new-build bungalow has been reduced.

2. Relevant Planning History:

DER/02/15/00246 -Single storey extension to existing bungalow (living/dining area, hall, w.c., bedroom and en-suite) together with erection of detached annex for dependent relative and erection of an additional bungalow – withdrawn – 18/03/2015

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= DERBY DCAPR 97850>

3. Publicity:

Neighbour Notification Letter – 28

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:

In total 34 objections have been received. The issues raised within the objection letters are summarised below:

- Restricted access which would not be accessible for emergency vehicles or refuse collection
- Increased traffic, noise and air pollution
- This is backland development and therefore against government guidelines
- Massing, loss of light and overlooking
- Precedent – if granted then the development would open the floodgates on far more development that the area cannot sustain
- The development would put strain on the already old drainage network
- The development and overall plans would not be in fitting with the existing houses within the area
- Very poor drainage in Lorraine Close – Weston Park Avenue gardens are always flooding in all back gardens
- Increased street lighting to the rear of properties
- Highway safety – children play in Lorraine Close
- Bats have been seen in the area

In total 5 letters of support have been received. The issues raised within the support letters are summarised below:

- New homes are always welcome
- The empty ground attracts vermin

5. Consultations:

Highways DC:

No objections subject to conditions controlling surfacing materials, width of the access and provision of the proposed parking/turning areas.

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

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 development;
- design/impact upon the character and appearance of the streetscene;
- residential amenity issues;
- highway/parking issues.

The Principle of Development:

The application site is situated in sustainable location which is accessible by public transport and well served by shops and other amenities. In view of this, and subject

to appropriate details, the site is considered to be a suitable location for new residential development. The key issue is whether the development will cause harm to the local area in terms of its impact upon the character and appearance of the area.

Design/Impact upon the character and appearance of the streetscene

The main bulk of the extension and the new bungalow will be set to the rear of the existing houses on the cul-de-sac. In view of this only limited views of the development will be afforded from public vantage points along Lorraine Close. The main view will be between No. 3 and No. 4. Lorraine Close where the parking/turning area is likely to be most visible. The overall height of the extension and the bungalow will be commensurate with the other properties along Lorraine Close ensuring the development won't tower above existing bungalows in the cul-de-sac, or appear overly prominent within the streetscene. The development will be well screened from wider streets by the surrounding built development. Clearly the development will intensify the residential use of the site and introduce new buildings into a 'backland' context, but in this instance, given the modest scale of the proposals, the development is considered to be visually acceptable in terms of its impact on the character and appearance of the streetscene and would comply with policies E23, GD4 and H13 of the CDLPR.

Residential Amenity Issues

Due to the single storey nature of the proposals any impact on neighbours in terms of loss of light or general massing will be limited. The bulk of the extension will be set away from the site boundaries and the new bungalow will provide a separation distance of approx. 10m between it and the nearest elevation at No. 3 Lorraine Close. Provision of high-level boundary treatment will prevent overlooking of neighbouring gardens. Undoubtedly there will be some additional impact on No. 3 Lorraine Close in terms of increased activity, as a result of the extended driveway and parking area, but I don't feel the development will be so intrusive that it would warrant refusal. The development would also provide a satisfactory living environment for future occupiers in terms of the internal space provided and the provision of suitable levels of amenity space. Overall I consider the development to be acceptable in terms of the quality of living environment created and its impact on neighbouring amenity, thus complying with saved policies GD5, H13 and H16 of the adopted City of Derby Local Plan Review.

Highways Issues

Some increase in car movements to and from the site will occur as a result of the proposed development, but the levels involved are unlikely to be significant or have a detrimental impact upon the local highway network. No objections have been raised by the Highways Development Control Officer on highway safety grounds.

The required access width and associated visibility splays can be achieved either side of the site access and, although this would involve the use of land outside of the applicant's control, notice has been served on the relevant parties. The width of the access and driveway are both compliant with the guidance contained within the 6C's Design Guide, allowing for access by emergency vehicles, and the parking and turning areas within the site are also acceptable.

Provision of the widened access, parking and turning areas can be secured through condition and, subject to conditions, as suggested by the Highways Officer; the development is considered to be acceptable in terms of highway safety issues and off-street parking levels and would comply with saved policy T4 of the adopted City of Derby Local Plan Review. Details of surfacing materials within the site, together with provision of sustainable drainage solutions can also be controlled through condition to comply with saved policy GD3 of the adopted City of Derby Local Plan Review.

Conclusion

The application site constitutes part of a domestic curtilage and is therefore classified as 'greenfield' land. Although 'greenfield', the site is in a location that is well served by local services and facilities and accessible by a range of modes of sustainable travel and due to its sustainable location the principle of residential development is considered appropriate. The development would also contribute positively towards meeting the City's requirement to provide additional housing to meet the needs of present and future generations. Whilst the introduction of new residential development at the back of properties on the existing cul-de-sac introduces a new dimension to this residential area it is considered that the development, as amended, can be implemented without causing material harm to the character or appearance of its surroundings, the amenities enjoyed by the occupiers of nearby dwellings, or the safe or efficient use of the highway network.

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 its impact on the character and appearance of the area, neighbour amenity and highway safety, or can be made acceptable through the imposition of conditions.

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 the submission of surfacing materials and how they will be drained
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 the provision of the parking and turning area before occupation of the development.

Committee Report Item No: 3

Application No: DER/06/15/00794

Type: Full

9. Condition controlling requiring the provision of a widened vehicle access
10. Condition restricting permitted development rights – extensions, outbuildings, roof alterations
11. Tree protection measures

Reasons:

1. Standard reason for time limit
2. For the avoidance of doubt
3. To safeguard visual amenities.....local plan policies GD4 and E23
4. To safeguard visual amenities and the residential amenity of neighbours.....local plan policies GD4, GD5 and E23
5. To ensure the provision of satisfactory drainage arrangements... local plan policy GD3
6. To safeguard and enhance the visual amenities of the area... local plan policy E17
7. To safeguard and enhance the visual amenities of the area... local plan policy E17
8. To ensure the provision of satisfactory drainage arrangements... local plan policy GD3
9. In the interest of highway safety... local plan policy T4
10. To ensure sufficient private garden space remains and the protect the amenity of neighbours... local plan policies GD5 and H13
11. To safeguard and enhance the visual amenities of the area... local plan policy E9

Informative Notes:

It is recommended that the bin storage areas should be located within 25m of the public highway to ensure efficient kerbside collections

S106 requirements where appropriate:

None

Application timescale:

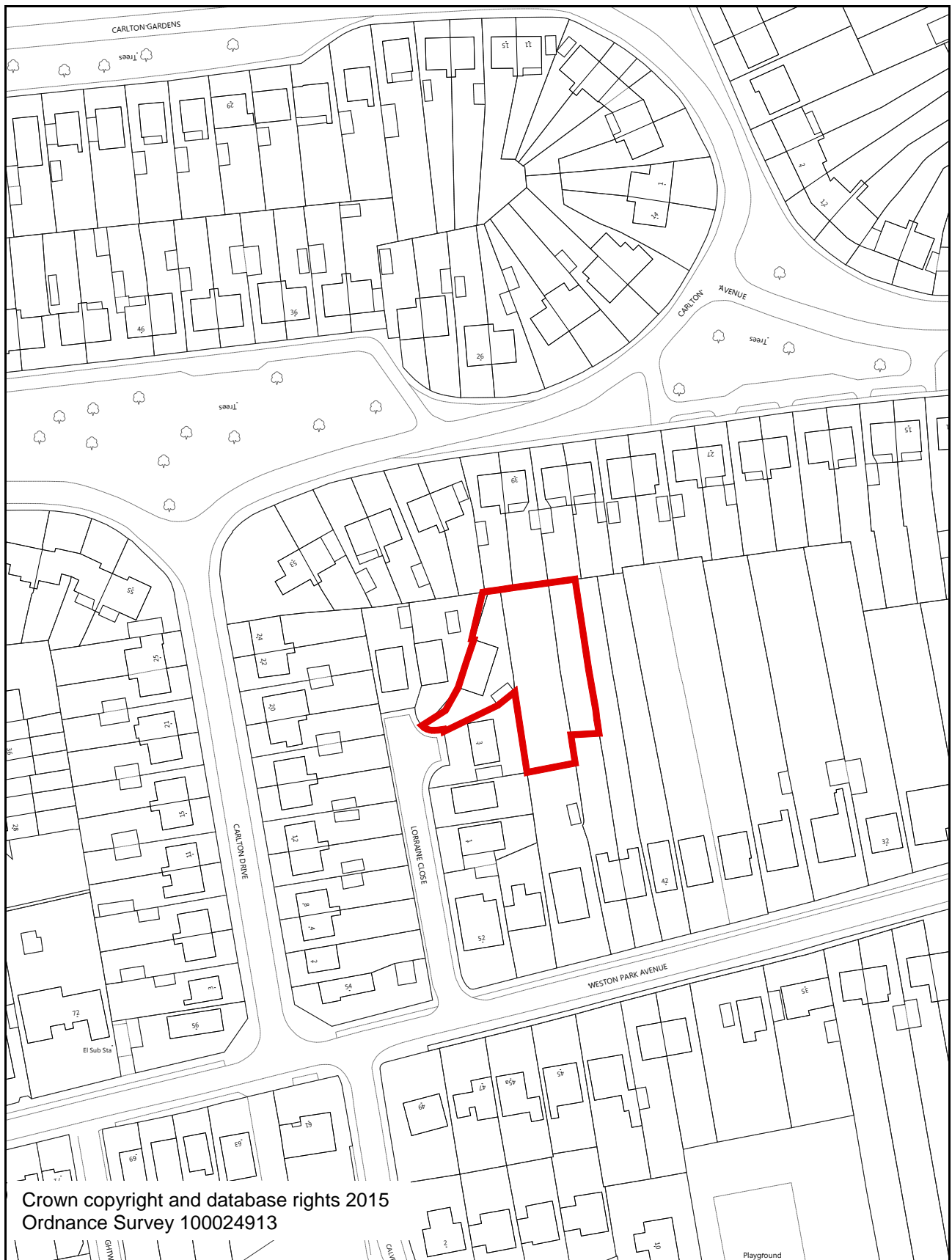
The 8 week statutory timescale for determination on this application expired on the 13th August. An extension of time has been agreed until the 20th October.

Classification: OFFICIAL

Committee Report Item No: 3

Application No: DER/06/15/00794

Type: Full



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Ordnance Survey 100024913

Classification: OFFICIAL

1. Application Details

Address: 230 Derby Road, Chellaston.

Ward: Chellaston

Proposal:

Two storey and single storey front and single storey side extensions to dwelling house (utility, kitchen, double garage, store, w.c., cloakroom, entrance hall, gallery, bedrooms, en-suites and walk-in wardrobes).

Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal= DERBY DCAPR 98473>

The proposal seeks to add large single and two-storey side and rear extensions to an existing detached brick-built two-storey house. The existing house is set within a large plot set back from the highway and accessed via a private drive over 50 metres long. The new part of the proposal would have a footprint of approximately 315 sqm and would involve the demolition of the rear part of the existing house. The external materials would be a mixture of rendered and exposed concrete, brick, timber cladding, aluminium doors and windows and extensive glazing to the primary and rear elevations. The proposed extension would accommodate kitchen, utility room, living room, store room, WC, cloakroom and attached garage at ground floor level with bedrooms, bathrooms and storage above. The extension would reach a maximum height of approximately 7.4 metres, although for the majority of its length it would run for a height of 6.8 metres. At the proposal's closest point to the site's rear boundary, the first floor element would be recessed from the rear elevation of ground floor element by approximately 0.7 metres.

2. Relevant Planning History:

None.

3. Publicity:

Neighbour Notification Letters

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

4. Representations:

Third party objections have been received from 8 sources, including a petition containing 37 signatures, and objections from Councillors Tittley and Grimadell. It is important to note that following the receipt of amended plans Councillor Tittley has confirmed that he raises no objections to the amended design.

The points of objection are:

- Loss of privacy through overlooking

- Overshadowing of adjoining properties and excessive massing close to common boundaries
- Lack of visual and architectural coherence between existing and proposed buildings

5. Consultations:

Derbyshire Wildlife Trust:

No response.

6. Relevant Policies: *Saved CDLPR policies*

E23	Design
GD4	Design and the Urban Environment
GD5	Amenity
H16	House extensions
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.

- Implications for residential amenity; and,
- Design issues.

Implications for residential amenity

The proposed structure would have a visual presence when viewed from several residential properties surrounding the application site, in particular numbers 12 and 28 Chesnut Avenue to the north and north-east, 7 South Avenue to the south-east and 5 South Avenue to the south.

In its original form the proposal featured rear-facing second-storey windows which would be likely to overlook the rear gardens of 7 South Avenue and 28 Chesnut Avenue. The proposal has been revised during the life of the application in response to these concerns and the rear-facing second-storey windows closest to the site's north-eastern boundary have been relocated, and in the current version of the proposal are side-facing. In the case of the main window to serve Bedroom 4 this would now face the rear of 5 South Avenue at a distance of approximately 8 metres to the common boundary, and approximately 14 metres to the rear elevation of 5 South Avenue. These distances are less than the minimum distances generally

regarded as acceptable in such situations and it is likely that the proposal would cause some harm to nearby residential amenity by way of overlooking. Also, given the scale of the proposal and the relatively small rear garden area of 5 South Avenue it could be argued that mitigation measures may be appropriate. The use of obscure glazing, for example, could be justified, especially given that another smaller window would also serve Bedroom 4. The relocated window to face north towards 12 Chesnut Avenue (serving Bedroom 3) would be at a distance of around 12 metres from the common boundary and around 18 metres from the rear elevation of 12 Chesnut Avenue at a height of around 5-6 metres. Similar consideration should be given to the possibility of the use of mitigation measures to this window as to that discussed above. Although the distances involved in this relationship are greater, the positioning of this window could conceivably result in some harm to residential amenity by way of overlooking.

Originally it was proposed that the second-storey element of the proposal closest to the site's north-eastern boundary would run for a distance of around 11 metres, and at an approximate distance of between 6 and 8 metres from that boundary. It should be noted that the second-storey element at this elevation is set back from the ground floor elevation. Despite this it was felt that the presence and massing of the proposed second storey would have an unacceptably dominating presence when viewed from the rear of residential properties to the north-east of the site. The proposal has since been revised in that the part of the second-storey closest to the site's north-eastern boundary has effectively been pulled back from that boundary by 0.5 metres when compared with the original proposal. The distance between this storey and the boundary would therefore be increased to between 6.5 and 8.5 metres, and the massing effect to neighbouring properties would be correspondingly reduced. It was requested that the distance between the first-floor rear elevation and the rear boundary be increased by 1 metre but this was negotiated to 0.5 metre. Whether or not the distances between the rear elevation of the second-storey and the common boundary are sufficiently great to avoid harm to nearby residential amenity is debatable. In my opinion the revision may have reduced the visual impact of the proposed structure just enough to be acceptable.

The ground floor element of the proposal would also have a visual presence from surrounding properties, and at a shorter distance to the various boundaries. However, at around 3.8 metres, the height of the ground floor is not unusual for a single storey and it would be unlikely that the surrounding properties would suffer greatly as a result of the proximity of this element.

Design issues

The proposed structure bears little stylistic or visual relation to the existing dwelling house. The proposal would provide a juxtaposition of architectural styles and this approach is not uncommon when residential buildings and commercial buildings are extended. There are no policy reasons to resist such an approach and the main design components of scale and mass have been dealt with in the previous section of this opinion.

It is also important to note that the site is not easily visible from the public realm and therefore the architectural style of the proposal would have little visual impact in the wider area.

8. Recommended decision and summary of reasons:

To grant planning permission with conditions.

Summary of reasons:

The proposed extension would be significant in its relationship with the existing house and in its relationship with nearby residential dwellings. However, in the opinion of the Local Planning Authority the revisions that have been made to the original proposal have dealt sufficiently with the outstanding issues and have successfully brought the proposal within acceptable limits with regard to its implications for surrounding residential amenity. The relationship of the proposal with the existing house is more complex. However, in the absence of any statutory protection relating to the building or the surrounding area and taking into account the site's backland location, any assessment of this relationship must be considered of limited relevance.

Conditions:

1. Standard condition – Time Limit
2. Standard condition – Approved Plans
3. Unique condition – Obscure glazing to main windows serving Bedrooms 3 and 4

Reasons:

1. Standard reason – Time limit reason
2. Standard reason – Avoidance of Doubt
3. Standard reason – Preserve residential amenity

Application timescale:

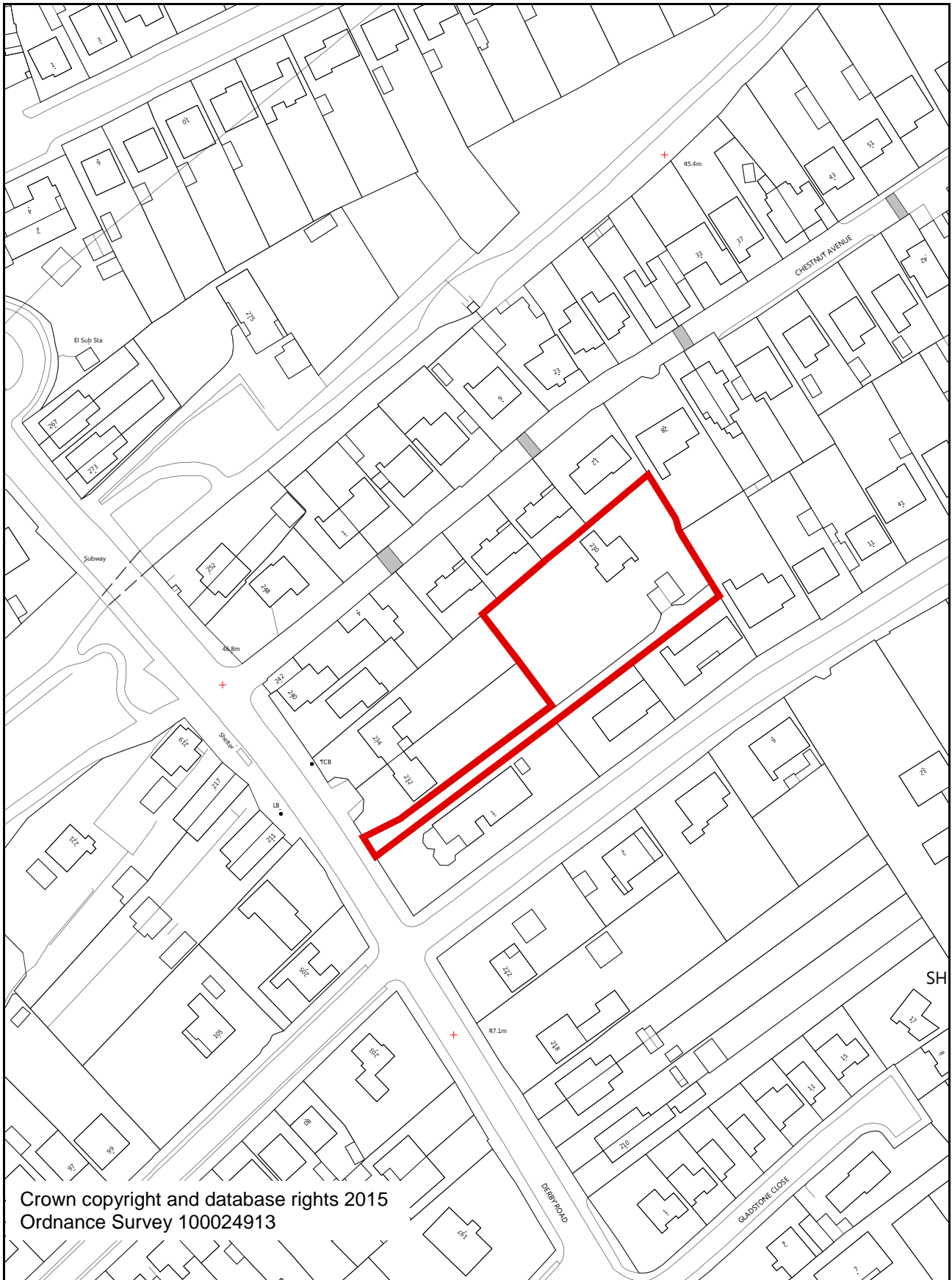
The application expired on 20 August 2015 and has been referred to the Planning Control Committee at the request of Councillor Grimadell.

Classification: OFFICIAL

Committee Report Item No: 4

Application No: DER/06/15/00837

Type: Full



Derby City Council

Delegated decisions made between 01/08/2015 and 30/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
08/12/01016/PRI	Outline Planning Permission	Vacant land east and south of Tecnograv Ltd, off Nottingham Road, Spondon, Derby, DE21	Residential development (extension of time limit of previously approved application Code no. DER/02/07/000306/PRI for a further three years)	Granted Conditionally	14/08/2015
05/14/00681/PRI	Full Planning Permission	23 Chestnut Avenue, Derby, DE23 6WG	Retention of use of detached annex as studio flat (Use Class C3), first floor side extension (enlargement of bedroom and bathroom) and installation of window to the rear elevation	Granted Conditionally	05/08/2015
07/14/00946/PRI	Advertisement consent	93 Brackens Lane, Alvaston, Derby, DE24 0AN	Display of various signage	Granted Conditionally	13/08/2015
07/14/01056/PRI	Full Planning Permission	Draka UK Industrial Cables Ltd, Alfreton Road, Derby, DE21 4AE	Extensions and alterations to existing units and erection of 19 new units	Granted Conditionally	04/09/2015
09/14/01262/PRI	Full Planning Permission	Former Mackworth College Site, Normanton Road, Derby	Erection of retail store (Use Class A1) and formation of associated car parking, servicing and landscaping.	Granted Conditionally	17/09/2015
09/14/01284/PRI	Full Planning Permission	Land at west end of Wordsworth Avenue, Sinfin, Derby	Erection of 8 dwelling houses and formation of associated car parking and open space.	Refuse Planning Permission	07/08/2015
10/14/01413/PRI	Full Planning Permission	Derby Ceilings and Interiors Ltd, 222 Mansfield Road, Derby, DE1 3RB	Two storey and single storey extension to offices (toilets, utility room, shower room, training room and enlargement of offices) and installation of replacement doors and windows	Granted Conditionally	07/08/2015
11/14/01602/PRI	Full Planning Permission	290 Osmaston Road, Derby, DE24 8AE	Change of use from offices (use class B1) to tyre and wheel sales (Sui Generis Use)	Granted Conditionally	07/08/2015
11/14/01615/PRI	Full Planning Permission	Land at former Draka UK Industrial Cables Ltd, Alfreton Road, Derby, DE21 4AE (junction with Haslams Lane)	Erection of motor vehicle dealership for sales, associated servicing and MOT including provision of new site access	Granted Conditionally	25/09/2015
12/14/01637/PRI	Outline Planning Permission	Land at the rear of 20 Louvain Road, Derby, DE23 6BZ (access from St. Swithin's Close)	Residential development (3 dwellings)	Granted Conditionally	11/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
12/14/01746/PRI	Full Planning Permission	51 Marylebone Crescent, Derby, DE22 4JX	Erection of attached dwelling house	Granted Conditionally	11/09/2015
01/15/00049/PRI	Outline Planning Permission	Land at 36 Bendall Green, Littleover, Derby, DE23 7PJ	Residential development (one dwelling house)	Refuse Planning Permission	08/09/2015
01/15/00069/PRI	Certificate of Lawfulness Proposed Use	3 Osiers Close, Allestree, Derby, DE22 2TB	Single storey rear extension to dwelling house (enlargement of kitchen/dining room/family room)	Granted	22/09/2015
02/15/00166/PRI	Listed Building Consent - alterations	34 Church Street, Spondon, Derby, DE21 7LL	Installation of replacement windows in the front elevation	Granted Conditionally	04/08/2015
02/15/00191/PRI	Full Planning Permission	Reckitt Benckiser UK Ltd, Sinfin Lane, Sinfin, Derby, DE24 9GG	Installation of solar panels	Granted Conditionally	25/09/2015
02/15/00197/PRI	Full Planning Permission	839 London Road, Derby, DE24 8UZ	Installation of 20 x 10m high lighting columns	Granted Conditionally	11/09/2015
02/15/00227/PRI	Outline Planning Permission	Land at the rear of 187 Duffield Road, Derby, DE22 1JB	Residential development (one dwelling and garage)	Withdrawn Application	04/08/2015
02/15/00229/PRI	Full Planning Permission	91 Empress Road, Derby, DE23 6TF	Two storey and single storey side and rear extensions to dwelling house (utility room, wet room, 3 bedrooms, en-suite, bathroom and enlargement of lounge)	Granted Conditionally	04/08/2015
02/15/00238/PRI	Full Planning Permission	609 London Road, Derby, DE24 8UQ (Spice of Life)	Retention of change of use from cafe (Use Class A3) to hot food shop (Use Class A5), installation of roller shutters and erection of extraction flue	Granted Conditionally	09/09/2015
02/15/00255/PRI	Full Planning Permission	97 Elms Avenue, Littleover, Derby, DE23 6FE	Single storey side and rear extensions to dwelling house (utility room and enlargement of kitchen and lounge)	Granted Conditionally	07/08/2015
02/15/00260/PRI	Full Application - disabled People	120 Booth Street, Alvaston, Derby, DE24 8PH	Two storey side extension to dwelling house (lounge, kitchen, 2 bedrooms and bathroom)	Granted Conditionally	20/08/2015
02/15/00279/PRI	Prior Approval - Telecommunications	Highway verge west of Mansfield Road, Breadsall Hilltop, Derby (north west of Stratford Road)	Erection of replacement 11.7 m high monopole, 3 antennae, one additional equipment cabinet and associated works	Prior Approval Approved	22/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
03/15/00283/PRI	Full Planning Permission	135 Pear Tree Crescent, Derby, DE23 8RR	Two storey and single storey side and rear extensions to dwelling house (lounge, enlargement of lounge and bedroom)	Granted Conditionally	16/09/2015
03/15/00298/PRI	Full Planning Permission	Land at the side of 6 Dale Road, Spondon, Derby, DE21 7DF	Erection of a dwelling house	Granted Conditionally	09/09/2015
03/15/00302/PRI	Full Planning Permission	1108 London Road, Derby, DE24 8QE	Demolition of storage building and erection of replacement storage building	Granted Conditionally	07/08/2015
03/15/00304/PRI	Full Planning Permission	Land at 38 Warwick Street, Derby, DE24 8WN	Erection of three apartments	Granted Conditionally	25/08/2015
03/15/00316/PRI	Full Planning Permission	1- 28, Magee Court, Regent Street, Derby, DE1 2TD	Removal of boundary wall and installation of gate, railings and replacement windows	Granted Conditionally	18/09/2015
03/15/00332/PRI	Full Planning Permission	1 Dreyfus Close, Spondon, Derby, DE21 7RR	Single storey extension to dwelling (enlargement of lounge and bedroom) and raising of roof height and installation of dormer to form rooms in the roof space (bedroom and en-suite)	Granted Conditionally	13/08/2015
03/15/00347/PRI	Full Planning Permission	2 Albemarle Road, Chaddesden, Derby, DE21 6UG	Change of use to supported living accommodation (Use Class C2) including erection of two storey accommodation and rear extension to dwelling, formation of rooms in roof space with rear dormers, conversion of outbuilding and erection of 1.8m high fencing and gates	Refuse Planning Permission	08/09/2015
03/15/00359/PRI	Full Planning Permission	44-44a Littleover Lane, Derby, DE23 6JG	Change of use from Care Home (use class C2) to two separate dwellings (use class C3)	Granted Conditionally	10/08/2015
03/15/00380/PRI	Full Planning Permission	26 Hartington Street, Derby, DE23 8EA	Change of Use of dwelling house (Use Class C3) to House in Multiple Occupation (Sui Generis use)	Granted Conditionally	05/08/2015
03/15/00381/PRI	Full Planning Permission	619 London Road, Derby, DE24 8UQ	Conversion of dwelling house into two self contained flats	Granted Conditionally	25/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
03/15/00417/PRI	Full Planning Permission	42 Carlton Road, Derby, DE23 6HA	Two storey rear extension to dwelling house (living room, two bedrooms and en-suite)	Granted Conditionally	01/09/2015
03/15/00425/PRI	Full Planning Permission	5 Taunton Close, Alvaston, Derby, DE24 0YD	Single storey side extension to dwelling house (enlargement of kitchen, dining room, bedroom and bathroom)	Granted Conditionally	07/08/2015
03/15/00432/PRI	Full Planning Permission	3 Bath Road, Mickleover, Derby, DE3 5BW	Formation of rooms in the roof space (bedroom and en-suite)	Granted Conditionally	28/08/2015
04/15/00443/PRI	Full Planning Permission	53 Porters Lane, Oakwood, Derby, DE21 4FZ	Single storey rear extension to dwelling house (enlargement of dining room) and installation of canopy to the front elevation	Granted Conditionally	07/08/2015
04/15/00454/DCC	Local Council own development Reg 3	Rosehill Infant School, Reginald Street, Derby, DE23 8FQ	Installation of replacement windows and doors	Granted Conditionally	04/08/2015
04/15/00459/PRI	Full Planning Permission	Site of 41 Robincroft Road, Allestree, Derby, DE22 2FQ	Demolition of dwelling and erection of replacement dwelling house	Granted Conditionally	03/09/2015
04/15/00474/PRI	Full Planning Permission	Land at Orchard Cottage, 23, Church Street, Spondon, Derby	Erection of dwelling house	Granted Conditionally	09/09/2015
04/15/00479/PRI	Full Planning Permission	80-82 Monk Street, Derby, DE22 3QB	Alterations to elevations, two storey side extension and change of use from retail (use class A1) to form two dwelling houses (use class C3)	Granted Conditionally	04/09/2015
04/15/00485/PRI	Full Planning Permission	1201 London Road, Derby, DE24 8QF	Erection of garage	Granted Conditionally	08/09/2015
04/15/00490/PRI	Full Planning Permission	9 Aylesbury Avenue, Chaddesden, Derby, DE21 6JB	Single storey rear extension to dwelling house (lounge/diner, utility room and w.c.)	Granted Conditionally	16/09/2015
04/15/00508/PRI	Full Planning Permission	Land at rear of 8 and 10 Hillside Avenue, Chaddesden, Derby, DE21 6SP	Erection of one bungalow and formation of vehicular access	Granted Conditionally	18/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
04/15/00512/PRI	Reserved Matters	Grange Hotel, Ingleby Avenue, Derby, DE23 8DJ	Demolition of former public house and erection of 14 dwelling houses with formation of vehicular access - approval of reserved matters of appearance, landscaping, layout and scale of previously approved planning permission Code no. DER/07/14/00949/PRI	Granted Conditionally	28/08/2015
04/15/00542/PRI	Full Planning Permission	Lakeside Community Primary School, London Road, Derby	Single storey extension to school (link corridor)	Granted Conditionally	25/09/2015
04/15/00544/PRI	Full Planning Permission	Rosehill Business Centre, Normanton Road, Derby, DE23 6RH	Extensions to business centre (offices, 2 retail units and 2 storerooms), change of use of four units from offices (use class B1) to retail (use class A1) and alterations to ground floor window openings to the North Block	Granted Conditionally	16/09/2015
04/15/00556/PRI	Full Planning Permission	116-166 Church Street (evens only) & 1-11 West Road (odds only), Spondon, Derby	Installation of replacement front doors	Granted Conditionally	20/08/2015
04/15/00559/PRI	Full Planning Permission	Site of engineering works, west of Wincanton Close, Derby (former Robinsons Construction)	Erection of ancillary office and staff accommodation and formation of vehicular parking	Granted Conditionally	19/08/2015
04/15/00562/PRI	Full Planning Permission	158 Chaddesden Park Road, Derby, DE21 6HN (Park Road Stores)	Change of use of part of unit from retail storage rooms (Use Class A1) to residential (Use Class C3)	Granted Conditionally	18/09/2015
04/15/00564/DCC	Local Council own development Reg 3	Oakwood Infant School, Waldene Drive, Alvaston, Derby, DE24 0GZ	Installation of replacement windows and doors	Granted Conditionally	25/09/2015
04/15/00570/PRI	Full Planning Permission	31 Portreath Drive, Allestree, Derby, DE22 2BJ	First floor side and single storey rear extensions to dwelling house (bedroom, study and enlargement of dining room/playroom)	Granted Conditionally	05/08/2015
05/15/00576/PRI	Full Planning Permission	30 Stoney Lane, Spondon, Derby, DE21 7QH	Single storey side extension to dwelling (dining room and utility room) and erection of detached garage - amendment to previously approved permission DER/07/14/01007 to amend the extension roof from flat to pitched	Granted Conditionally	11/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/15/00588/PRI	Full Application - Article 4	27 Old Chester Road, Derby, DE1 3SA	Installation of replacement front windows and door	Granted Conditionally	13/08/2015
05/15/00594/PRI	Full Planning Permission	2 Max Road, Chaddesden, Derby, DE21 4GX	Two storey side extension to dwelling house (study, utility room, w.c. two bedrooms and enlargement of kitchen)	Granted Conditionally	04/08/2015
05/15/00598/PRI	Full Planning Permission	119 Swarkestone Road, Chellaston, Derby, DE73 6UD	Single storey rear and two storey side extension to dwelling house (lounge/dining room, utility room, w.c., family room, bedroom and en-suite)	Granted Conditionally	20/08/2015
05/15/00605/PRI	Full Planning Permission	University of Derby, Markeaton Street Campus, Markeaton Street, Derby	Erection of a four storey Science, Technology, Engineering and Mathematics building with associated landscaping and ancillary works to the rear of the existing Engineering building.	Granted Conditionally	02/09/2015
05/15/00608/PRI	Full Planning Permission	Derbyshire Family Centre, Stepping Lane, Derby, DE1 1GJ	Change of use and extensions to Family Centre (use class D1) to form 8 flats (use class C3)	Granted Conditionally	28/08/2015
05/15/00610/PRI	Full Planning Permission	104 Hawthorn Street, Derby, DE24 8BB	Erection of two storey outbuilding (garage, office and store)	Refuse Planning Permission	22/09/2015
05/15/00611/PRI	Full Planning Permission	The Carpet Stop, Osmaston Park Road, Derby, DE24 8BT	Two storey side and single storey rear extension to retail unit (commercial space and gallery storage)	Granted Conditionally	08/09/2015
05/15/00612/PRI	Full Planning Permission	Corner Pin Public House, Swarkestone Road, Chellaston, Derby, DE73 1UA	Installation of door and fire escape staircase on the rear elevation and erection of smoking shelter	Granted Conditionally	06/08/2015
05/15/00624/PRI	Full Planning Permission	50 Canal Street, Derby, DE1 2RJ	Change of use from offices (use class B1) to educational centre (use class D1)	Granted Conditionally	07/08/2015
05/15/00627/PRI	Full Planning Permission	Land adjacent to 15 Richmond Road, Normanton, Derby	Erection of two dwelling houses	Granted Conditionally	03/09/2015
05/15/00633/PRI	Full Planning Permission	Bombardier, Litchurch Lane, Derby, DE24 8AD	Formation of car park	Granted Conditionally	25/08/2015
05/15/00635/PRI	Full Planning Permission	17 Carol Crescent, Chaddesden, Derby, DE21 6PQ	Single storey rear extension to dwelling house to form annexe (lounge, utility room, en-suite, store and two bedrooms)	Granted Conditionally	07/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/15/00636/PRI	Full Planning Permission	43-53 Osmaston Road, Derby, DE1 2JF	Extension to form additional storey and change of use of first floor from residential/office space to form four self contained flats for student accommodation (26 bedrooms), alterations to the fenestration and installation of render	Granted Conditionally	28/08/2015
05/15/00638/PRI	Advertisement consent	1-5 Wardwick, Derby, DE1 1HA (former Job Centre Plus)	Display of two internally illuminated fascia signs and one non-illuminated hanging sign	Granted Conditionally	04/09/2015
05/15/00640/PRI	Full Planning Permission	1-5 Wardwick, Derby, DE1 1HA (former Job Centre Plus)	Installation of ventilation system	Granted Conditionally	04/09/2015
05/15/00642/	Full Planning Permission	14 Westhall Road, Mickleover, Derby, DE3 5PA	Single storey front and two storey side extensions to dwelling house (porch, w.c., bedroom, en-suite and enlargement of lounge/dining room and kitchen) and formation of rooms in roof space (bedroom, bathroom and rear dormer)	Granted Conditionally	09/09/2015
05/15/00653/PRI	Certificate of Lawfulness Proposed Use	87 Blenheim Drive, Allestree, Derby, DE22 2LF	Erection of single storey rear extension to dwelling house (w.c and enlargement of kitchen)	Invalid - Finally Disposed of	18/09/2015
05/15/00664/PRI	Full Planning Permission	60 Boulton Lane, Derby, DE24 0FE	Formation of vehicular access	Granted Conditionally	20/08/2015
05/15/00665/PRI	Full Planning Permission	93 Boulton Lane, Derby, DE24 0FF	Erection of detached garage	Granted Conditionally	13/08/2015
05/15/00671/PRI	Full Planning Permission	19 Hollies Road, Allestree, Derby, DE22 2HX	First floor side extension to dwelling house (bedroom and en-suite) and installation of rear dormer	Granted Conditionally	14/08/2015
05/15/00673/PRI	Advertisement consent	836-838 Osmaston Road, Derby, DE24 9AA (Natwest Bank)	Display of various signage	Granted Conditionally	20/08/2015
05/15/00675/PRI	Full Planning Permission	145 Normanton Lane, Littleover, Derby, DE23 6LF	Two storey and single storey side and rear extensions to dwelling house (garage, lounge, kitchen, two bedrooms and en-suite) and installation of a canopy to the front elevation	Granted Conditionally	04/08/2015
05/15/00677/PRI	Full Planning Permission	45 Tredegar Drive, Oakwood, Derby, DE21 2RA	Erection of detached garage	Granted Conditionally	20/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/15/00678/PRI	Full Planning Permission	7 Knights Road, Chellaston, Derby	Erection of 2m high boundary wall	Granted Conditionally	20/08/2015
05/15/00687/PRI	Full Planning Permission	2 Neilson Street, Alvaston, Derby, DE24 0ET	Erection of boundary wall and gates	Granted Conditionally	13/08/2015
05/15/00688/PRI	Full Planning Permission	203 Francis Street, Derby, DE21 6DF	Single storey rear extension to dwelling house (enlargement of kitchen)	Granted Conditionally	06/08/2015
05/15/00690/PRI	Full Planning Permission	18 The Hollow, Mickleover, Derby, DE3 5DH	Single storey rear extension to dwelling house (enlargement of kitchen, w.c and living room) and installation of rear dormer window	Granted Conditionally	20/08/2015
05/15/00691/PRI	Full Planning Permission	3 Rowley Gardens, Littleover, Derby, DE23 7GF	First floor front dormer extension to dwelling house (bedroom) and installation of a window to the side elevation	Granted Conditionally	07/08/2015
05/15/00693/PRI	Full Planning Permission	99 Elms Avenue, Littleover, Derby, DE23 6FE	Erection of outbuilding (summer house)	Granted Conditionally	07/08/2015
05/15/00695/PRI	Full Planning Permission	2 Whitmore Road, Chaddesden, Derby, DE21 6HR	Single storey side extension to dwelling house (garage, store and wc) and erection of 2m boundary fence and gates	Granted Conditionally	20/08/2015
05/15/00696/PRI	Variation/Waive of condition(s)	Land at Former Tannery, Sinfin Lane, Sinfin, Derby	Variation of condition 26 of previously approved planning permission code No. DER/05/09/00571- Construction and operation of Waste Treatment Facility comprising Reception and Recycling Hall; Mechanical Biological Treatment (MBT) Facility; Advanced Conversion Technology (ACT) Facility; Power Generation and Export Facility; Education and Office Accommodation; Landscaping; and Formation of Access, to allow construction work outside of the previously permitted hours.	Granted Conditionally	14/09/2015
05/15/00700/	Works to Trees under TPO	Village Primary School, 155 Village Street, Derby, DE23 8DN	Felling of two Corsican Pine trees protected by Tree Preservation Order No. 395	Granted Conditionally	05/08/2015
05/15/00701/PRI	Works to Trees under TPO	The Old Hall, Burton Road, Littleover, Derby, DE23 6EH	Various Works to trees protected by Tree Preservation Orders No.291 and 329	Granted Conditionally	12/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/15/00706/PRI	Listed Building Consent - alterations	Land adjacent 1 Abbey Yard, stables and adjacent Bakehouse, Darley Abbey, Derby, DE22 1DS	Display of signage, installation of external post boxes and cast iron air bricks to outer walls for ventilation	Granted Conditionally	17/09/2015
05/15/00707/PRI	Full Planning Permission	3 Sunny Grove, Chaddesden, Derby, DE21 6QP	Two storey rear extension to dwelling house (bedroom and enlargement of kitchen, dining room and bedroom)	Granted Conditionally	15/09/2015
05/15/00708/PRI	Full Planning Permission	1 Hazel Drive, Spondon, Derby, DE21 7DS	Two storey side extension to dwelling house (garage, two bedrooms and en-suite)	Granted Conditionally	19/08/2015
06/15/00711/PRI	Reserved Matters	Land at 57 Maine Drive, Chaddesden, Derby, DE21 6JZ	Erection of dwelling house - Details for approval following outline permission for residential development, ref:DER/02/14/00137/PRI	Granted Conditionally	12/08/2015
05/15/00714/PRI	Works to Trees under TPO	410 Burton Road, Derby, DE23 6AJ	Crown reduction of 2 metres and crown lift to 4 metres of Oak Tree and crown lift to 6 metres of Ash Tree both protected by Tree Preservation Order No. 279	Granted Conditionally	04/08/2015
06/15/00722/PRI	Works to Trees under TPO	St. Mary's Catholic Primary School, Broadway, Derby, DE22 1AU	Various works to trees protected by Tree Preservation Order No 308	Granted Conditionally	04/08/2015
06/15/00727/PRI	Full Planning Permission	61 Colwyn Avenue, Derby, DE23 6HH	Erection of two storey side extension to dwelling house (utility room, garage, two bedrooms, two en-suites and enlargement of kitchen)	Granted Conditionally	20/08/2015
06/15/00728/PRI	Works to Trees under TPO	50 Station Road, Chellaston, Derby, DE73 1SU	Felling of Eucalyptus tree and crown lifting to 5m of Blue Cedar protected by Tree Preservation Order No 422	Granted Conditionally	20/08/2015
06/15/00733/PRI	Full Planning Permission	Pump House to the Rear of 161 Vicarage Road, Mickleover, Derby, DE3 5EF	Erection of a dwelling house with basement (Use Class C3)	Granted Conditionally	11/08/2015
06/15/00734/PRI	Works to Trees under TPO	Derby New Church, Horwood Avenue, Derby, DE23	Re-pollarding of Sycamore tree and felling of Poplar tree protected by Tree Preservation Order No. 280	Granted Conditionally	20/08/2015
06/15/00735/PRI	Full Planning Permission	85 Brackens Lane, Alvaston, Derby, DE24 0AQ	Installation of residential access door	Granted Conditionally	29/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/15/00736/PRI	Works to Trees under TPO	Greenwich Gardens, 34 Greenwich Drive North, Derby, DE22 4AB	Crown lift by 6m and crown reduction by 6m of three Maple and Sycamore trees protected by Tree Preservation Order No. 293	Refuse Planning Permission	04/08/2015
06/15/00737/PRI	Works to Trees under TPO	1 Ellastone Gardens, Alvaston, Derby, DE24	Crown thin by 10%, crown lift to 4m and crown reduction of 1.5m to two Yew Trees protected by Tree Preservation Order No. 191	Granted Conditionally	19/08/2015
06/15/00739/PRI	Works to Trees under TPO	Site of Elmhurst, Lonsdale Place, Derby, DE22 3LP	Various works to trees protected by Tree Preservation Order No. 424	Refuse Planning Permission	04/08/2015
06/15/00742/PRI	Full Planning Permission	52 Ashbourne Road, Derby, DE22 3AD	Installation of replacement windows	Granted Conditionally	19/08/2015
06/15/00750/PRI	Works to Trees under TPO	488 Duffield Road, Derby	Crown reduction by 1 metre of Spruce Tree protected by Tree Preservation Order No. 481	Granted Conditionally	04/08/2015
06/15/00751/PRI	Full Planning Permission	76 Blagreaves Lane, Littleover, Derby, DE23 7FP	Single storey front extension to dwelling house (garage)	Granted Conditionally	19/08/2015
06/15/00752/PRI	Full Planning Permission	607A London Road, Derby, DE24 8UQ	Change of use from retail (Use Class A1) to tattoo studio (Sui Generis Use)	Granted Conditionally	25/09/2015
06/15/00756/PRI	Works to Trees under TPO	Public Open Space, Rowallan Way, Chellaston, Derby	Felling of one Ash tree and deadwooding of Ash trees protected by Tree Preservation Order No. 177	Granted Conditionally	05/08/2015
06/15/00757/PRI	Works to Trees under TPO	Public Open Space at the Junction of Sinfin Moor Lane, Montague Way and Cordelia Way, Chellaston, Derby	Felling of Ash tree protected by Tree Preservation Order No.177	Granted Conditionally	05/08/2015
06/15/00759/PRI	Works to Trees under TPO	Trees at Roman Road, Derby	Felling of two Poplar Trees protected by Tree Preservation Order No. 543	Granted Conditionally	04/08/2015
06/15/00760/	Works to Trees under TPO	114 Belper Road, Derby, DE1 3EQ	Removal of epicormic growth from Oak Tree protected by Tree Preservation Order No. 571	Granted Conditionally	04/08/2015
06/15/00761/PRI	Full Planning Permission	27 Duffield Road, Derby, DE1 3BH (Co-op Petrol Station)	Relocation of five air-conditioning units and retention of plant unit	Granted Conditionally	02/09/2015
06/15/00763/PRI	Local Council devt Reg 4	Land fronting no's. 164-178 & 184-190 Max Road, Chaddesden, Derby	Formation of 13 parking bays	Granted Conditionally	09/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/15/00764/PRI	Works to Trees under TPO	Public Open Space north of Prestwick Way and west of Montague Way, Chellaston, Derby	Felling of Ash tree protected by Tree Preservation Order No. 263	Granted Conditionally	05/08/2015
06/15/00769/PRI	Full Planning Permission	Arboretum Primary School, Corden Street, Derby, DE23 8GP	Installation of canopy	Granted Conditionally	19/08/2015
06/15/00773/PRI	Full Planning Permission	112 Belper Road, Derby, DE1 3EQ	Demolition of conservatory, terrace and partial demolition of snug and erection of two storey rear extension to dwelling house (basement level snug, dining room, and kitchen and ground floor level study/bedroom 5) formation of two terrace areas and installation of chimney	Granted Conditionally	08/09/2015
06/15/00776/PRI	Full Planning Permission	50 Farm Street, Derby, DE22 3UJ	Alterations and change of use of existing garage to form flat (use class C3)	Granted Conditionally	15/09/2015
06/15/00778/PRI	Full Planning Permission	The Oast House, Sinfen Lane, Derby, DE23 8AG	Extension to hotel to provide a further 24 bedrooms with associated alterations to car parking and landscaping	Granted Conditionally	11/09/2015
06/15/00780/PRI	Certificate of Lawfulness Proposed Use	53 Western Road, Mickleover, Derby, DE3 9GP	Alterations to existing conservatory (installation of new roof and alterations to the fenestration) and installation of rear dormer	Granted	11/08/2015
06/15/00786/PRI	Prior Approval - Offices to Resi	School House Business Centre, London Road, Alvaston, Derby, DE24 8UQ	Change of use of part of building from offices (use class B1) to nine apartments (use class C3)	Prior Approval Not required	07/08/2015
06/15/00789/PRI	Full Planning Permission	125 Havenbault Lane, Littleover, Derby, DE23 7AF	Single storey rear extension to dwelling house (sun lounge)	Granted Conditionally	14/08/2015
06/15/00796/PRI	Full Planning Permission	Wyndham Primary Academy, Wyndham Street, Alvaston, Derby, DE24 0EP	Erection of classroom	Granted Conditionally	19/08/2015
06/15/00798/PRI	Full Planning Permission	26 Canon's Walk, Darley Abbey, Derby, DE22 1FG	Two storey front extension to dwelling house (enlargement of lounge and bedroom)	Granted Conditionally	12/08/2015
06/15/00799/PRI	Full Planning Permission	39 Springwood Drive, Oakwood, Derby, DE21 2HE	First floor side and single storey rear extensions to dwelling house (play room, master bedroom and en-suite)	Granted Conditionally	19/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/15/00800/PRI	Full Planning Permission	Site of former 1 - 5 Railway Cottages, Sinfin Lane, Sinfin, Derby	Erection of Substation and Transformer with associated Compound	Granted Conditionally	12/08/2015
06/15/00801/PRI	Variation/Waive of condition(s)	Rebecca Court, Redbury Close, Derby, DE1 1ND	Variation of Condition 2 of previously approved application Code No. DER/11/13/01375/PRI. Change of use and external alterations of secure residential institution (Use Class C2A) to form 18 dwellings (Use Class C3) and formation of associated car parking area - alterations to car parking layout.	Granted Conditionally	25/09/2015
06/15/00804/PRI	Local Council own development Reg 3	Bemrose Community School, Uttoxeter New Road, Derby, DE22 3HU	Extension to school (entrance foyer) and installation of replacement roof to the sports hall	Granted Conditionally	20/08/2015
06/15/00805/PRI	Full Planning Permission	61 Church Lane, Darley Abbey, Derby, DE22 1EX	Erection of detached outbuilding (guest bedroom/home office, shower room and garage)	Granted Conditionally	14/08/2015
06/15/00806/PRI	Certificate of Lawfulness Proposed Use	61 Church Lane, Darley Abbey, Derby, DE22 1EX	Installation of rear dormer window and hip to gable roof conversion	Granted	14/08/2015
06/15/00807/PRI	Certificate of Lawfulness Proposed Use	14 Deer Park View, Spondon, Derby, DE21 7TL	Single storey rear extension to dwelling house (dining room)	Granted	14/08/2015
06/15/00808/PRI	Advertisement consent	15 Midland Road, Derby, DE1 2SN	Display of two halo illuminated fascia signs	Granted Conditionally	04/08/2015
06/15/00810/PRI	Full Planning Permission	33 Chesterton Road, Spondon, Derby, DE21 7EN	Single storey side and rear extensions to dwelling house (enlargement of kitchen and dining room)	Granted Conditionally	19/08/2015
06/15/00812/PRI	Prior Approval - Householder	31 Crich Avenue, Littleover, Derby, DE23 6ET	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 3.9m, height to eaves 2.5m) to dwelling house	Prior Approval Approved	04/08/2015
06/15/00813/PRI	Prior Approval - Householder	10 Vicarwood Avenue, Darley Abbey, Derby, DE22 1BX	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 3.95m, height to eaves 2.7m) to dwelling house	Prior Approval Not required	04/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/15/00814/PRI	Prior Approval - Shop / Bank to Resi	2 Surrey Street, Derby, DE22 3GF	Change of use of ground floor from retail (use class A1) to residential (use class C3)	Prior Approval Approved	14/08/2015
06/15/00815/PRI	Prior Approval - Shop / Bank to Resi	474 Baker Street, Alvaston, Derby, DE24 8SL	Change of use from retail (use class A1) to apartment (use class C3)	Prior Approval Not required	07/08/2015
06/15/00816/PRI	Full Planning Permission	7 Carlton Road, Derby, DE23 6HB	Single storey rear extension to dwelling house (enlargement of kitchen and utility room)	Granted Conditionally	20/08/2015
06/15/00817/PRI	Works to Trees under TPO	41 Porters Lane, Oakwood, Derby, DE21 4FZ	Crown lift to 7 metres of Oak tree protected by Tree Preservation Order No.124	Refuse Planning Permission	20/08/2015
06/15/00818/PRI	Full Planning Permission	13 Roehampton Drive, Derby, DE22 4EE	Single storey front and rear extensions to dwelling house (store, kitchen/dining area and utility room)	Granted Conditionally	19/08/2015
06/15/00819/PRI	Non-material amendment	Derby High School, Hillsway, Littleover, Derby, DE23 7DT	Erection of a two storey 'Kindergarten' Building with associated landscaping -non material amendment to previously approved planning permission DER/11/14/01583 to include four additional high level windows to the north east elevation and the removal of three windows from the north east elevation	Granted	12/08/2015
06/15/00821/PRI	Certificate of Lawfulness Proposed Use	10 Robinia Close, Oakwood, Derby, DE21 2XD	Formation of rooms in roof space - installation of roof windows to the front and rear elevations	Granted	19/08/2015
06/15/00822/PRI	Full Planning Permission	28 Chapel Lane, Spondon, Derby, DE21 7JU	Single storey rear extension to dwelling house (kitchen/dining area)	Granted Conditionally	19/08/2015
06/15/00823/PRI	Full Planning Permission	59 Oakover Drive, Allestree, Derby, DE22 2PR	Erection of detached outbuilding (store)	Granted Conditionally	15/09/2015
06/15/00825/PRI	Full Planning Permission	31 Shardlow Road, Alvaston, Derby, DE24 0JG	Change of use from retail (use class A1) to hot food takeaway (use class A5) and installation of extraction flue, condensor unit and air grille	Refuse Planning Permission	19/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/15/00826/PRI	Works to Trees under TPO	1A Keats Avenue, Littleover, Derby, DE23 4EE	Crown lift by 3m and crown reduction by 3m of one Lime and one Ash tree protected by Tree Preservation Order No. 343	Granted Conditionally	20/08/2015
06/15/00832/PRI	Full Planning Permission	1 Station Road, Mickleover, Derby, DE3 5GH	Single storey front and two storey and single storey rear extensions to dental practice (office, plant rooms, w.c's and two consulting rooms) and alterations to include removal of a side window and formation of new entrance	Granted Conditionally	09/09/2015
06/15/00833/PRI	Variation/Waive of condition(s)	Total Service Station, Uttoxeter Road, Mickleover, Derby, DE3 5GE	Variation of condition 5 of previously approved planning permission DER/03/15/00396/PRI to amend the hours when deliveries can be made to the premises	Granted Conditionally	19/08/2015
06/15/00834/PRI	Local Council own development Reg 3	Rosehill Infant School, Reginald Street, Derby, DE23 8FQ	Single storey extension to school, installation of canopy and new door	Granted Conditionally	19/08/2015
06/15/00840/PRI	Full Planning Permission	43 Jackson Avenue, Mickleover, Derby, DE3 5AS	Two storey and single storey rear extensions to dwelling house (dining room, kitchen and bedroom)	Granted Conditionally	19/08/2015
06/15/00841/PRI	Full Planning Permission	Shepherds View, 1 Shepherd Street, Littleover, Derby, DE23 6GA	Change of use of first floor from office (use class B1a) to two apartments (use class C3)	Granted Conditionally	19/08/2015
06/15/00843/PRI	Full Planning Permission	352 Uttoxeter New Road, Derby, DE22 3HX	Two storey rear extension to apartment block to form four apartments (use class C3)	Refuse Planning Permission	16/09/2015
06/15/00844/PRI	Full Planning Permission	33 Kintyre Drive, Sinfen, Derby, DE24 3JZ	Two storey and single storey side extension to dwelling house (bedroom and enlargement of lounge, kitchen and bedroom)	Granted Conditionally	19/08/2015
06/15/00845/PRI	Full Planning Permission	10-11 Charnwood Street, Derby	Retention of change of use from educational buildings (use class D1) to house in multiple occupation (Sui Generis use)	Granted Conditionally	16/09/2015
06/15/00848/PRI	Prior Approval - Shop / Bank to Resi	3 Surrey Street, Derby, DE22 3GF	Change of use of ground floor from retail (use class A1) to residential (use class C3)	Prior Approval Approved	14/08/2015
06/15/00850/PRI	Full Planning Permission	373 Duffield Road, Derby, DE22 2DN	First floor side and rear extensions to dwelling house (bedroom and en-suite)	Granted Conditionally	19/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/15/00851/PRI	Full Planning Permission	10 Chelmorton Place, Chaddesden, Derby, DE21 4QL	Single storey rear extension to dwelling house (sun lounge and w.c.)	Granted Conditionally	09/09/2015
06/15/00853/PRI	Works to Trees in a Conservation Area	St. Werburghs C of E School, Church Street, Spondon, Derby, DE21 7LL	Various works to trees within Spondon Conservation Area	Raise No Objection	11/08/2015
06/15/00854/PRI	Works to Trees in a Conservation Area	14 Cornhill, Allestree, Derby, DE22 2FT	Various works to trees within Allestree Conservation Area	Raise No Objection	06/08/2015
06/15/00855/PRI	Certificate of Lawfulness Proposed Use	115 Locko Road, Spondon, Derby, DE21 7AP	Single storey side extension to dwelling house (outhouse)	Granted	02/09/2015
06/15/00856/PRI	Full Planning Permission	125 Dale Road, Spondon, Derby, DE21 7DJ	Single storey rear extension to dwelling house (conservatory)	Granted Conditionally	19/08/2015
06/15/00857/PRI	Advertisement consent	40 Osmaston Road, Derby, DE1 2HW	Display of non-illuminated fascia sign and non-illuminated projecting sign	Granted Conditionally	25/08/2015
06/15/00858/PRI	Full Planning Permission	24 Station Road, Chellaston, Derby, DE73 1SU	Two storey side extension to dwelling house (family room, shower room and bedroom)	Granted Conditionally	24/08/2015
06/15/00859/PRI	Full Planning Permission	30 Hobkirk Drive, Sinfen, Derby, DE24 3DT	Two storey side extension to dwelling house (enlargement of kitchen and bedroom)	Granted Conditionally	09/09/2015
06/15/00860/PRI	Full Planning Permission	13 Bonsall Drive, Mickleover, Derby, DE3 5HQ	Single storey side and rear extensions to dwelling house (garage/car port and kitchen/dining area)	Granted Conditionally	20/08/2015
07/15/00861/PRI	Full Planning Permission	117 Whitaker Road, Derby, DE23 6AQ	First floor side extension to dwelling house (two bedrooms and en-suite)	Granted Conditionally	19/08/2015
07/15/00863/PRI	Full Planning Permission	Browns Builders Merchants, Nottingham Road, Derby, DE1 3QQ	First floor extension to builders merchants (additional office accommodation)	Granted Conditionally	25/09/2015
07/15/00865/PRI	Full Planning Permission	16 Riddings, Allestree, Derby, DE22 2GB	Single storey side and rear extension to dwelling house (kitchen/dining room, shower room and enlargement of dining room)	Granted Conditionally	19/08/2015
07/15/00866/PRI	Full Planning Permission	Land north of junction of Royal Approach/ Holmleigh Way, Chellaston, Derby	Erection of two dwelling houses and formation of vehicular access	Granted Conditionally	16/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/15/00867/PRI	Full Planning Permission	95 Maple Drive, Chellaston, Derby, DE73 1RX	Two storey and single storey side extension to dwelling house (cloakroom, workshop, enlargement of kitchen/dining room and bathroom)	Granted Conditionally	15/09/2015
07/15/00868/PRI	Works to Trees in a Conservation Area	St. Matthews Churchyard, 25 Church Lane, Darley Abbey, Derby, DE22 1EY	Various works to trees within the Darley Abbey Conservation Area	Raise No Objection	12/08/2015
07/15/00869/PRI	Full Planning Permission	12 Downham Close, Mickleover, Derby, DE3 5SZ	First floor extension to detached garage (garden room)	Granted Conditionally	19/08/2015
07/15/00872/PRI	Certificate of Lawfulness Proposed Use	41 Morley Road, Chaddesden, Derby, DE21 4QU	Change of use of summer house to dog grooming parlour	Granted	02/09/2015
07/15/00873/PRI	Prior Approval - Householder	45 Onslow Road, Mickleover, Derby, DE3 5JG	Single storey rear extension (projecting beyond the rear wall of the original house by 4m, maximum height 3.65m, height to eaves 2.25m) to dwelling house	Prior Approval Not required	12/08/2015
07/15/00874/PRI	Prior Approval - Householder	129 Station Road, Mickleover, Derby, DE3 5FN	Single storey rear extension (projecting beyond the rear wall of the original house by 5.5m, maximum height 4m, height to eaves 3m) to dwelling house	Prior Approval Not required	12/08/2015
07/15/00877/PRI	Full Planning Permission	Land to the rear of 397-399 Burton Road and adjacent 141 Whitaker Road, Derby, DE23 6AN (access via Whitaker Road)	Erection of dwelling house and boundary wall	Granted Conditionally	18/09/2015
07/15/00878/PRI	Full Planning Permission	14 Moorland Road, Mickleover, Derby, DE3 5FX	Erection of two storey outbuilding (garage/study)	Granted Conditionally	03/09/2015
07/15/00879/PRI	Advertisement consent	83 St. Peters Street, Derby, DE1 2AB (Bonmarche)	Display of 1 internally illuminated fascia sign and 1 internally illuminated projecting sign	Granted Conditionally	19/08/2015
07/15/00880/PRI	Local Council own development Reg 3	11 Warwick Avenue, Derby, DE23 8DA	Single storey rear extension to dwelling house (bedroom)	Granted Conditionally	19/08/2015
07/15/00881/PRI	Advertisement consent	8 Siddals Road, Derby, DE1 2PW (Beechwood Mazda)	Display of various signage	Granted Conditionally	27/08/2015
07/15/00882/PRI	Full Planning Permission	15 Moor End, Spondon, Derby, DE21 7ED	Installation of dormer to the side elevation	Granted Conditionally	02/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/15/00883/PRI	Full Planning Permission	15 Uttoxeter Road, Mickleover, Derby, DE3 5DA	Installation of ATM	Granted Conditionally	28/08/2015
07/15/00889/PRI	Works to Trees under TPO	1 Whitaker Gardens, Derby, DE23 6AW	Felling of Horse Chestnut tree protected by Tree Preservation Order No. 278	Refuse Planning Permission	20/08/2015
07/15/00892/PRI	Prior Approval - Offices to Resi	St Peters House, Gower Street, Derby, DE1 1SB	Conversion of part of the ground floor from offices (use class B1) to 8 apartments (use class C3)	Prior Approval Approved	25/08/2015
07/15/00893/PRI	Full Planning Permission	1 Burnside Drive, Spondon, Derby, DE21 7QR	Two storey side extension to dwelling house (garage, utility room, two bedrooms and ensuite)	Granted Conditionally	19/08/2015
07/15/00895/PRI	Advertisement consent	Aldi Foodstore Ltd, Southmead Way, Derby, DE22 3HN	Display of three double sided illuminated pole signs, a freestanding illuminated poster sign, and a non-illuminated vinyl sign	Granted Conditionally	19/08/2015
07/15/00896/PRI	Listed Building Consent - alterations	15 Vernon Street, Derby, DE1 1FT	Partial demolition of rear wall, erection of gates and formation of parking spaces	Granted Conditionally	03/09/2015
07/15/00898/PRI	Works to Trees under TPO	Trees at Pineview Gardens, Littleover, Derby, DE23 4YL	Crown reduction by 3m of three Lime trees and two Beech trees protected by Tree Preservation Order No. 30	Granted Conditionally	25/08/2015
07/15/00901/PRI	Listed Building Consent - alterations	Corner Pin Public House, Swarkestone Road, Chellaston, Derby, DE73 1UA	Installation of external fire escape and erection of smoking shelter	Granted Conditionally	16/09/2015
07/15/00903/PRI	Full Planning Permission	164 Portland Street, Derby, DE23 8PJ	Single storey extension to detached garage	Granted Conditionally	16/09/2015
07/15/00904/PRI	Full Planning Permission	43 Wordsworth Avenue, Sinfen, Derby, DE24 9HQ	First floor side extension to dwelling house (bedroom)	Granted Conditionally	19/08/2015
07/15/00905/PRI	Full Planning Permission	18 Lomond Avenue, Sinfen, Derby, DE24 3HH	Single storey side and rear extension to dwelling house (utility room, dining room/day room and enlargement of kitchen)	Granted Conditionally	29/09/2015
07/15/00909/PRI	Prior Approval - Householder	720 Harvey Road, Derby, DE24 0EG	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 3.5m, height to eaves 3.5m) to dwelling house	Prior Approval Not required	19/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/15/00910/PRI	Full Planning Permission	8 Robinia Close, Oakwood, Derby, DE21 2XD	Installation of two oriel bay windows on the first floor side elevations	Granted Conditionally	08/09/2015
07/15/00911/PRI	Works to Trees under TPO	Trees at Holmfield Estate, Stenson Road, Derby	Crown reduction by 2-3 metres of two Cedar Trees protected by Tree Preservation Order No. 19	Granted Conditionally	25/08/2015
07/15/00914/PRI	Works to Trees under TPO	Trees at St.Edmunds Church, St. Edmunds Close, Allestree, Derby, DE22	Partial crown reduction of Yew Tree protected by Tree Preservation Order No.139	Granted Conditionally	25/08/2015
07/15/00916/PRI	Full Planning Permission	129 Station Road, Mickleover, Derby, DE3 5FN	Erection of outbuilding (garden room)	Granted Conditionally	20/08/2015
07/15/00917/PRI	Advertisement consent	Veterinary Centre, 367 Duffield Road, Derby, DE22 2DN	Display of one externally illuminated fascia sign	Granted Conditionally	15/09/2015
07/15/00924/PRI	Full Planning Permission	10 Eaton Avenue, Allestree, Derby, DE22 2EZ	Two storey side extension to dwelling house (garage, dining room and office)	Granted Conditionally	08/09/2015
07/15/00925/PRI	Works to Trees under TPO	52 Applemead Close, Derby, DE21 4QP	Reduction in height by 6m and branch reduction of 2-3m of Ash tree protected by Tree Preservation Order No 149	Invalid - Finally Disposed of	05/08/2015
07/15/00929/PRI	Prior Approval - Householder	285 Derby Road, Chaddesden, Derby, DE21 6SY	Single storey rear extension (projecting beyond the rear wall of the original house by 3.7m, maximum height 3.4m, height to eaves 3m) to dwelling house	Prior Approval Not required	20/08/2015
07/15/00932/PRI	Full Planning Permission	Site of 84 Bridge Street, Derby, DE1 3LA (The Ram PH)	Demolition of public house and erection of five storey building - nine apartments (use class C3) and cafe/public house (use class A3/A4) at ground floor level	Granted Conditionally	28/09/2015
07/15/00933/PRI	Full Planning Permission	73 Spindletree Drive, Oakwood, Derby, DE21 2DG	First floor front extension to dwelling house (enlargement of bedroom)	Granted Conditionally	14/09/2015
07/15/00934/PRI	Local Council own development Reg 3	160 Porter Road, Derby, DE23 6RD	Single storey rear extension to dwelling house (shower room)	Granted Conditionally	08/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/15/00938/PRI	Full Planning Permission	Royal Buildings, Victoria Street & 22 Corn Market, Derby	Change of use of ground floor of 22 Corn Market from financial and professional services (use class A2), first floor of Royal Buildings from function room/night club/music venue (mixed use) to restaurant (use class A3)	Granted Conditionally	24/09/2015
07/15/00939/PRI	Listed Building Consent - alterations	Royal Buildings, Victoria Street & 22 Corn Market Derby	Internal alterations to include formation of an access via 22 Corn Market in association with change of use of ground floor of 22 Corn Market and first floor of Royal Buildings, Victoria Street to restaurant	Granted Conditionally	24/09/2015
07/15/00941/PRI	Works to Trees in a Conservation Area	St. Werburghs C of E School, Church Street, Spondon, Derby, DE21 7LL	Various works to trees within the Spondon Conservation Area	Raise No Objection	20/08/2015
07/15/00944/PRI	Works to Trees under TPO	16 Werburgh Close, Spondon, Derby, DE21 7GN	Felling of Acacia tree protected by Tree Preservation Order No 74	Refuse Planning Permission	08/09/2015
07/15/00945/PRI	Works to Trees under TPO	11 Stonesby Close, Oakwood, Derby, DE21 2EB	Felling of two Sycamore trees, coppicing of Elder, cutting back of branches by 2-3 metres of Oak Tree and deadwooding of Oak tree protected by Tree Preservation Order No. 124	Granted Conditionally	30/09/2015
07/15/00946/PRI	Full Planning Permission	47 Moulton Avenue, Spondon, Derby, DE21 7FW	Alterations to roof from hip to gable and installation of a rear dormer	Withdrawn Application	24/08/2015
07/15/00947/PRI	Full Planning Permission	6 Abney Close, Mickleover, Derby, DE3 5DZ	First floor side and single storey front, side and rear extensions to dwelling house (sitting room, play room, study, bedroom, en-suite and enlargement of garage)	Granted Conditionally	08/09/2015
07/15/00950/PRI	Full Planning Permission	1 Coxon Street, Spondon, Derby, DE21 7JF	Raising of roof height of existing two storey rear extension to form a flat roof	Granted Conditionally	16/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/15/00951/PRI	Full Planning Permission	183 Chellaston Road, Derby, DE24 9EB	Two storey and single storey rear extensions to dwelling house (porch, enlargement of kitchen, bedroom and bathroom) and erection of boundary wall	Granted Conditionally	20/08/2015
07/15/00954/PRI	Works to Trees in a Conservation Area	18 Welney Close, Mickleover, Derby, DE3 5NZ	Felling of Malus tree and removal of epicormic growth from Yew tree to a height 2.00 metres from ground level within the Mickleover Conservation Area.	Raise No Objection	02/09/2015
07/15/00956/PRI	Full Application - disabled People	27 Hamilton Road, Derby, DE23 6RU	Two storey and single storey side and rear extensions to dwelling house (lounge, bathroom, kitchen, two bedrooms and enlargement of bedroom)	Granted Conditionally	16/09/2015
07/15/00957/PRI	Non-material amendment	193 Rykneld Road, Littleover, Derby, DE23 7AL	Extensions to dwelling house (bedroom, ensuite, walk in wardrobe and enlargement of kitchen/dining room, family room, lounge, storage room) formation of rooms in roof space (bedroom, ensuite and storage) and erection of detached double garage - non-material amendment to previously approved planning permission DER/04/15/00561/PRI to substitute a window for bi-folding doors in the side elevation	Granted	19/08/2015
07/15/00958/PRI	Certificate of Lawfulness Proposed Use	18 Calvin Close, Alvaston, Derby, DE24 0HX	Erection of detached garage	Granted	22/09/2015
07/15/00960/PRI	Advertisement consent	Currys Ltd, Kingsway Retail Park, Derby, DE22 3FA	Display of three non-illuminated fascia signs	Granted Conditionally	18/09/2015
07/15/00962/PRI	Advertisement consent	Service Station, 479 Nottingham Road, Derby, DE21 6NA	Display of various signage	Granted Conditionally	20/08/2015
07/15/00963/PRI	Full Planning Permission	Garage Block, Jackson Street, Derby, DE22 3RZ	Demolition of 17 garages and erection of 13 replacement garages	Granted Conditionally	15/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/15/00964/PRI	Advertisement consent	1 Albion Street, Derby, DE1 2PR	DIisplay of three internally illuminated fascia signs and two internally illuminated projecting signs	Granted Conditionally	22/09/2015
07/15/00967/PRI	Works to Trees under TPO	Car Park at the rear of 32 Charnwood Street, Derby, DE1 2GU (access off Melbourne Street)	Pollarding and removal of growth from base of 12 Lime trees protected by Tree Preservation Order No 286	Granted Conditionally	25/08/2015
07/15/00968/PRI	Full Planning Permission	27 Oaklands Avenue, Littleover, Derby, DE23 7QG	Two storey side and single storey rear extension to dwelling house (study, two bedrooms and enlargement of kitchen)	Granted Conditionally	09/09/2015
07/15/00969/PRI	Full Planning Permission	44 Blenheim Drive, Allestree, Derby, DE22 2LB	First floor rear extension to dwelling house (enlargement of bedroom)	Granted Conditionally	15/09/2015
07/15/00970/PRI	Full Planning Permission	320 Burton Road, Derby, DE23 6AF (The Firs)	Re-building of coach house and change of use to office (Use Class B1a)	Granted Conditionally	09/09/2015
07/15/00972/PRI	Full Planning Permission	Cleaver Meats, Wisgreaves Road, Derby, DE24 8RQ	Two storey extension (offices and sales area), formation of customer entrance, erection of front boundary wall with associated external works including separation of service yard	Granted Conditionally	08/09/2015
07/15/00973/PRI	Full Planning Permission	300 Burton Road, Derby, DE23 6AD	Formation of vehicular access	Granted Conditionally	15/09/2015
07/15/00978/PRI	Full Planning Permission	32-34 Corn Market, Derby, DE1 2DG	Installation of replacement shopfront	Granted Conditionally	11/09/2015
07/15/00979/PRI	Full Planning Permission	200 Broadway, Derby, DE22 1BP	Single storey front and two storey rear extensions to dwelling house (porch, kitchen and bedroom) and erection of front boundary wall	Granted Conditionally	09/09/2015
07/15/00980/PRI	Prior Approval - Householder	32 Copes Way, Chaddesden, Derby, DE21 4NT	Single storey rear extension (projecting beyond the rear wall of the original house by 4m, maximum height 3.6m, height to eaves 2.6m) to dwelling house	Prior Approval Not required	20/08/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/15/00983/PRI	Non-material amendment	560 Duffield Road, Derby, DE22 2ES	Two storey and single storey extensions to dwelling house (bedroom, 2 en-suites, office, porch and enlargement of kitchen and bathroom) and erection of detached double garage - Non-material amendment to previously approved permission DER/11/13/01277 to amend the approved roof design	Granted	17/09/2015
07/15/00985/PRI	Non-material amendment	317 Duffield Road, Derby, DE22 2DF	Two storey side and rear extensions (detached garage, study, family room, lobby, utility, pantry, two bedrooms and en-suite)- non-material amendment to previously approved permission 08/14/01092 to increase garage roof pitch from 22.5 to 30 degrees	Granted	27/08/2015
07/15/00986/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 - amendments to previously approved planning permission Code No. DER/03/15/00368/PRI to amend the garage design and location and include an additional window to the front elevation of the proposed extension	Granted Conditionally	11/09/2015
07/15/00987/PRI	Full Planning Permission	Lidl, 469 - 479 Nottingham Road, Chaddesden, Derby, DE21 6NA	Extension to retail store to deliver non-sales floorspace, external alterations to shopfront, re-layout car park and associated works.	Granted Conditionally	25/09/2015
08/15/00989/PRI	Full Planning Permission	20 Blagreaves Lane, Littleover, Derby, DE23 7BU	Single storey rear extension (enlargement of kitchen/dining/sitting room)	Granted Conditionally	28/09/2015
08/15/00990/PRI	Full Planning Permission	88 College Green Walk, Mickleover, Derby	Single storey rear extension to dwelling house (conservatory)	Granted Conditionally	28/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
08/15/00991/PRI	Non-material amendment	Allenton Community Primary School, Brookhouse Street, Allenton, Derby, DE24 9BB	Erection of classroom block and formation of 4 additional parking spaces - non material amended to planning permission DER/11/14/01605 to form six additional parking spaces	Granted	25/08/2015
08/15/00994/PRI	Prior Approval - Householder	8 Harewood Road, Allestree, Derby, DE22 2JN	Single storey rear extension (projecting beyond the rear wall of the original house by 5.4m, maximum height 3.77m, height to eaves 3.15m) to dwelling house	Prior Approval Approved	18/09/2015
08/15/00995/PRI	Full Planning Permission	19 Ferrers Way, Derby, DE22 2AB	First floor and single storey side extensions to dwelling house bedroom, bathroom and enlargement of kitchen)	Granted Conditionally	29/09/2015
08/15/00998/PRI	Local Council devt Reg 4	201 Osmaston Park Road, Derby, DE24 8BT	Single storey rear extension to dwelling house (bedroom and bathroom)	Granted Conditionally	28/09/2015
08/15/01000/PRI	Works to Trees in a Conservation Area	Abbey Court, Darley Abbey Mills, Darley Abbey, Derby	Various works to trees within the Darley Abbey Conservation Area	Raise No Objection	22/09/2015
08/15/01001/PRI	Full Planning Permission	Former Chaddesden United Reformed Church, Reginald Road South, Chaddesden, Derby	Change of use from church (use class D1) to two apartments (use class C3) with associated car parking	Granted Conditionally	16/09/2015
08/15/01002/PRI	Full Planning Permission	46 Bank View Road, Derby, DE22 1EJ	Single storey rear and side extensions to dwelling house (porch/covered way and conservatory) - amendment to previously approved application Code No. DER/02/15/00258	Granted Conditionally	15/09/2015
08/15/01003/PRI	Full Planning Permission	177 Station Road, Mickleover, Derby, DE3 5FH	Retention of 1.8 metre high boundary wall	Granted Conditionally	29/09/2015
08/15/01005/PRI	Advertisement consent	3 Swarkestone Road, Chellaston, Derby, DE73 1UA (George's Tradition)	Display of various signage	Granted Conditionally	15/09/2015
08/15/01006/PRI	Full Planning Permission	3 Swarkestone Road, Chellaston, Derby, DE73 1UA (George's Tradition)	Installation of shop front, rear entrance door and erection of bin store	Granted Conditionally	15/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
08/15/01008/PRI	Local Council devt Reg 4	20 Tewkesbury Crescent, Derby, DE21 4EP	Single storey rear extension to dwelling house (lobby, bedroom and shower room)	Granted Conditionally	30/09/2015
08/15/01009/PRI	Works to Trees in a Conservation Area	3 St. Johns Terrace, Derby, DE1 3LJ	Felling of Juniper Tree within the Friar Gate Conservation Area	Raise No Objection	16/09/2015
08/15/01010/PRI	Full Planning Permission	10 Heron Way, Mickleover, Derby, DE3 5XA	Single storey side extension to dwelling (garage, bedroom, en-suite, living space and enlargement of kitchen)	Granted Conditionally	16/09/2015
08/15/01014/PRI	Full Planning Permission	202 Station Road, Mickleover, Derby, DE3 5FH	First floor side extension to dwelling house (bedroom)	Granted Conditionally	28/09/2015
08/15/01016/PRI	Works to Trees in a Conservation Area	5 Ruskin Road, Derby, DE1 3EU	Felling of Lawsons Cyprus Tree and Golden Leylandiis within the Strutts Park Conservation Area	Raise No Objection	16/09/2015
08/15/01018/PRI	Full Planning Permission	143 Kedleston Road, Derby, DE22 1FT	Single storey rear extension to dwelling house (w.c. and enlargement of kitchen)	Granted Conditionally	28/09/2015
08/15/01019/PRI	Full Planning Permission	25 Stroma Close, Sinfin, Derby, DE24 9LB	Two storey and single storey extensions to dwelling house (lounge, two bedrooms and enlargement of dining/sitting room)	Granted Conditionally	29/09/2015
08/15/01022/PRI	Full Planning Permission	7 Rowley Lane, Littleover, Derby, DE23 7FT	Single storey rear extension to dwelling (enlargement of kitchen and living room)	Granted Conditionally	29/09/2015
08/15/01025/PRI	Demolition-Prior Notification	Edale House, RTC Business Park, London Road, Derby, DE24 8UP	Demolition of single and two storey offices	Raise No Objection	08/09/2015
08/15/01026/PRI	Works to Trees under TPO	The Vicarage, Kings Croft, Allestree, Derby, DE22 2FN	Pruning of English Oak and 2 Lime trees together with removal of Ivy to 2m and basal and epicormic growth to Oak and 3 Limes protected by Tree Preservation Order No 100	Granted Conditionally	16/09/2015
08/15/01030/PRI	Works to Trees under TPO	48 Swanmore Road, Littleover, Derby, DE23 7SY	Crown raise to 4m, crown thin by 10% together with crown cleaning and pruning and removal of deadwood and epicormic growth of Oak tree protected by Tree Oreservation Order No 30	Granted Conditionally	16/09/2015
08/15/01033/PRI	Full Planning Permission	2 Glastonbury Road, Alvaston, Derby, DE24 0YA	Two storey side extension (living room, dining room, bedroom and en-suite)	Granted Conditionally	30/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
08/15/01034/PRI	Full Planning Permission	197 Beaufort Street, Derby, DE21 6BB	Single storey rear and side extension to dwelling house (conservatory)	Granted Conditionally	29/09/2015
08/15/01037/PRI	Full Planning Permission	52 Catterick Drive, Mickleover, Derby, DE3 5TX	Two storey side extension to dwelling house (garage, utility, bedroom and enlargement of kitchen)	Granted Conditionally	28/09/2015
08/15/01039/PRI	Advertisement consent	Fairway Garage, Uttoxeter Road, Mickleover, Derby, DE3 5GE	Display of various internally illuminated and non-illuminated signage	Granted Conditionally	29/09/2015
08/15/01040/PRI	Full Planning Permission	Garage Block, Islay Road, Sinfin, Derby DE249LY	Demolition of 6 garages and erection of 6 replacement garages	Granted Conditionally	16/09/2015
08/15/01046/PRI	Full Planning Permission	24 Field Rise, Littleover, Derby, DE23 7DE	Single storey rear extension to dwelling (enlargement of kitchen and living room) and erection of detached garage and raised patio	Granted Conditionally	29/09/2015
08/15/01047/PRI	Works to Trees in a Conservation Area	6 New Road, Darley Abbey, Derby, DE22 1DR	Felling of Spruce tree within Darley Abbey Conservation Area	Raise No Objection	22/09/2015
08/15/01054/PRI	Full Planning Permission	17 Kensal Rise, Derby, DE22 4DA	Erection of single storey front extension to dwelling house (dining room, kitchen, study and utility room)	Granted Conditionally	23/09/2015
08/15/01064/PRI	Full Planning Permission	Unit 9A St. Peters Way, Derby, DE1 2NR	Change of use from retail (use class A1) to beauty salon (Sui Generis use)	Granted Conditionally	29/09/2015
08/15/01078/PRI	Works to Trees in a Conservation Area	Trees at Etruria Gardens, Etruria Gardens, Derby	Crown lift to 5 metres of Alder tree within the Little Chester Conservation Area	Withdrawn Application	14/09/2015
08/15/01094/PRI	Non-material amendment	23 Brigden Avenue, Allenton, Derby, DE24 8LH	Two storey and single storey side extensions to dwelling house (lounge, utility, bedroom, en-suite and garage) - non material amendment to previously approved planning permission DER/07/14/00895 to alter the internal layout from garage to playroom and wetroom and replace the garage door with a window	Granted Conditionally	16/09/2015

Application No.	Application Type	Location	Proposal	Decision	Decision Date
08/15/01095/PRI	Prior Approval - Householder	3 Wadebridge Grove, Alvaston, Derby, DE24 0NF	Single storey rear extension (projecting beyond the rear wall of the original house by 5m, maximum height 4m, height to eaves 3m) to dwelling house	Prior Approval Not required	30/09/2015
08/15/01098/PRI	Non-material amendment	Cavendish Close Junior School, Deborah Drive, Chaddesden, Derby, DE21 4RJ	Demolition of school. Erection of junior school and formation of associated external hard and soft landscaping - non-material amendments to previously approved planning permission DER/07/14/00998	Granted	16/09/2015