



PLANNING CONTROL COMMITTEE
12 October 2017

ITEM 7

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
For more information contact: Background papers: List of appendices:	Ian Woodhead Tel: 01332 642095 email: ian.woodhead@derby.gov.uk None Appendix 1 – Development Control Monthly Report

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2	41 - 51	05/17/00698	Laverstoke Court, Peet Street, Derby	Change of use from student accommodation (Sui Generis use) to a hostel (Sui Generis use)	To grant planning permission with conditions
3	52 - 68	06/17/00795	1 Church Lane, Darley Abbey, Derby	Demolition of existing bungalow and garage and erection of new building comprising 6 apartments including associated access and parking	To grant planning permission with conditions
4	69 - 74	07/17/00920	29 Princes Drive, Littleover, Derby	Two storey side and rear extensions to dwelling house (sitting room, living space, shower room, two bedrooms, en-suite, bathroom and enlargement of kitchen) and installation of a dormer window to the rear elevation	To grant planning permission with conditions

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Application No: DER/10/16/01241

Type: Full Planning Application

1. Application Details

1.1. Address: Unit 7, Northedge Business Park, Alfreton Road, Derby.

1.2. Ward: Darley

1.3. Proposal:

Development of facilities to enable the testing of a new technology based on a pyrothermic conversion process utilising solid recovered fuel, erection of associated equipment and external 20 metre height chimney stack for a temporary period of 18 months.

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/10/16/01241>

Brief description

The application site is located to the western end of an industrial location known as Northedge Business Park, off Alfreton Road. The majority of this general industrial site has been cleared, with the application building and 4 industrial units occupying the site. The remainder of the site is covered by hard standing. Works are currently taking place nearby to install flood defence barriers associated with the Our City Our River (OCOR) flood protection scheme.

The site is set considerably higher than the adjacent land (by as much as 2m at the west side of the site) on a concrete plateau. The site is located within flood risk zones 2 / 3 and is located within the World Heritage Site's Buffer Zone. Immediately abutting the site to the west is the designated Derwent Valley Mills World Heritage Site. The ditch which runs along the western boundary of the site also extends north where it forms part of a locally designated wildlife site. There are also mature trees along the western boundary. There are a series of residential dwellings to the south east of the site along Alfreton Road (Tomlinson's Cottages), within 200 metres of the site boundary. The nearest school is Walter Evans School some 600metres away.

The site is allocated for business/industrial purposes under policy EP11 of the Local Plan Review which is carried forward as an Employment Location under the new adopted CP10 policy of the Derby City Local Plan – Part 1 (Core Strategy). The application site benefits from an existing planning permission for an industrial B2 use.

The application building is an existing industrial unit and measures approximately 22 metres in depth, 67 metres in width and 12.5 metres in height. This means that the proposed chimney stack would project about 7.5 metres above the building. Recently, the external elevations have been upgraded with contemporary grey coloured coated insulation panels arranged horizontally with a forward projecting two storey office block situated to the southern end. This is box shaped and clad in similar materials, but with contrasting coloured grey blue panelling. The building is orientated with its main principal elevation facing the interior of the site and side flank elevations facing north and south. A car park area fronts the building with a large expanse of hard surfaced area surrounding the application site.

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Proposal

The application seeks permission for a temporary test unit to house waste to energy technology within an existing retained large commercial structure. This would be used as the main processing building with associated equipment and storage located on the existing hardstanding adjacent to the building. The principle objective of the thermal treatment process is to test and prove the pyrothermic converter technology as an efficient system that is capable of producing reusable energy. However, as a demonstration facility, the operating process will not be configured to generate steam and electricity.

The proposed development is for a temporary waste recovery facility to test the operation of a waste to energy technology, for a temporary 18 month time period. The facility is proposed to process no more than 2.75 tonnes per hour of waste material, based on a maximum operational running time of 100 hours per week (Monday – Friday). The operational testing facility known as the '*pyrothermic converter unit*' and associated boiler unit would be contained within the application building. The proposed development would also consist of additional external equipment in the form of:

- A 20 metre height emissions chimney stack
- Two external mounted air blast coolers
- 4500 litre diesel storage tank
- External bale storage area

Amended plans have been received during the course of the application which include: the emission chimney stack being relocated 5.8 metres further from its previous position away from the western boundary of the site; improved quality of waste material type with the use of Solid Recovered Fuel (SRF) as opposed to Refused Derived Fuel; diesel generators reduced from 3 to 1; air cooler units reduced from 7 to 2; bale storage area relocated further from building.

The operational hours are proposed to be 08:00 to 20:00 Monday – Thursday for deliveries. The processing and operation would run continuously for up to 100 hours per week from Monday 08:00 until midday on a Friday.

The external bale area would be positioned approximately 15 metres forward of the main building and measure 10m by 15m by 3m height. The two air blast cooler units would measure 2.4 metres by 11 metres and be sited toward the front northern end of the building. Acoustic fencing measuring 9m by 14m by 3m in height would surround the two air blast cooler units. The fuel storage tank would be sited alongside the coolers and measure 5m by 3m, by 3m height.

The emissions chimney stack structure would be aluminium and grey in appearance. It would be positioned alongside the northern elevation of the building, approximately 5.8metres inward from the north-west corner point of the building. Its total height from ground level to top edge would be 20 metres and approximately 7.5m above the building roof height. The diameter of the stack structure would measure 1.5m at the bottom and 1m diameter at the top.

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An Environmental Impact Assessment (EIA) screening opinion was produced in July 2017 based on the recent updated May 2017 EIA regulations (*under the provisions of Paragraph 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("the Regulations")*). It is concluded whilst the Proposed Development is considered to be 'Schedule 2 Development' requiring screening under the Regulations it is determined that it is not likely to have significant effects on the environment. Accordingly it is further determined that the Proposed Development is 'not EIA development' within the meaning of the Regulations and therefore an Environmental Impact Assessment is not considered to be necessary for this proposal.

To support the application, a number of technical documents have been submitted, which are recapped as follows:

Air Quality Assessment

The report evaluates that existing conditions within the study area show acceptable air quality, with concentrations of all pollutants below the relevant air quality objectives in the vicinity of the development site. The proposed testing facility will generate around 16 additional vehicle movements per day. Increases in pollutant concentrations at sensitive locations resulting from emissions from these additional traffic movements will have *negligible* impacts on nitrogen dioxide, PM10 (particulate matter and PM2.5 (fine particulate matter) concentrations.

The impact of emissions from the proposed plant on local residential properties and the area surrounding the plant has been considered. The assessment has compared the predicted changes in concentrations with screening criteria provided by the Environment Agency, and where necessary determined total concentrations taking baseline levels into account. It has shown that there will be no likely significant effects.

An emergency diesel generator is proposed to provide power to the plant in the unlikely event of a power failure. The infrequent use of this generator will have a *negligible* impact on nitrogen dioxide, PM10 and PM2.5, concentrations. Consideration has been given to potential odour impacts of the proposed plant. Taking into account the odour potential of the waste material, control measures to be put in place, prevailing meteorological conditions and distance between the proposed plant and sensitive receptors, the odour impacts are expected to be not significant. Overall, the operational air quality and odour impacts of the proposed testing facility and emission stack are judged, by the applicant, to be 'not significantly adverse'.

Health Impacts Document

This statement document advises that the potential health impacts associated with the proposed testing facility have been considered, taking into account the conclusions of the Air Quality Assessment and published evidence regarding the health impacts of emissions from modern municipal waste incinerators in the UK. The Air Quality Assessment concluded that emissions of individual pollutants from the test facility would have no likely significant effects, when concentrations are compared with health-based objectives and Environmental Assessment Levels. In addition, Public Health England has found that, "*modern well managed incinerators make only a small contribution to local concentrations of air pollutants. It is possible that such*

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small additions could have an impact on health but such effects, if they exist, are likely to be very small and not detectable”.

Taking into account the evidence described above, the applicant concludes that the proposed test facility would have no significant health impacts on the local population.

Noise Impact Assessment

The submitted noise assessment considers the potential impact of noise generated by the Pyrothermic Converter on the nearest residential properties to the development site. The document utilises the relevant and latest British Standard guidance documents. (British Standard 4142:2014 *Method for rating and assessing industrial and commercial sound*, British Standard 8233:2014 *Guidance on sound insulation and noise reduction for buildings* and the World Health Organisation guidance documents *Guidelines for Community Noise* and *Night Noise Guidelines for Europe*).

Sound levels generated by the proposed test facility have been predicted using SoundPLAN v7.4 and an assessment made in line with BS4 142:2014 and BS 8233:2014. A site visit has been made to establish background noise levels at a location representative of the nearby properties. The BS 4142:2014 assessment has shown that there would be a low likelihood of adverse impact due to the operation of the plant when considering the context of the area surrounding each receptor assessed.

An assessment of predicted internal noise levels has been made against the guideline values for internal ambient noise levels in dwellings outlined in BS8 233:2014, specifically those relating to sleeping in bedrooms. The assessment has shown that, when considering a 15dB reduction for a partially open window, predicted internal noise levels would remain below the 30dB LAeq, 8hr noise level recommended. An assessment of night-time noise has also been made in accordance with World Health Organisation guidelines which shows that predicted noise levels remain with the guideline values at all times.

The applicant considers that the reduction in noise levels that the revisions to the operational scheme, particularly changes to the number of external Air Blast Coolers and number of generators provided balance out the internal noise breakout from the building with the roller shutter being open. The applicant further considers that operations at the proposed test facility would be able to be undertaken without adversely affecting the nearby residential receptors without the need for mitigation measures.

Flood Risk Assessment

The applicant's report concludes that the proposed development is not considered to be at significant risk of flooding and is considered to be a sequentially preferable development. Suggested mitigation measures include: new building levels to be set at a minimum of 600mm above appropriate external levels; infiltration drainage and soakaways to be carried out.

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Heritage and Landscape Assessment

The applicant's report considers the visual effects upon a number of designated heritage sites within the local area, which includes illustrative information and photomontages from different vantage points. The report then assesses the setting and visual impacts of the development on those heritage assets. The proposed vertical feature will be of particular prominence when seen from within 100m radius of the site. Due to the open nature of the adjacent fields within the World Heritage Site, it is possible that some indirect views of the tip of the stack will be seen above the tree line, especially when viewed along the Derwent Heritage Way footpath. Direct views from heritage assets such as Darley Abbey Mills and Darley Abbey Conservation Area would be "heavily filtered and transient glimpses between the built form and above the tree line". In summation, the proposals would be intermittently visible from receptors located within close proximity to the site's immediate study area, especially when seen from open ground to the north. The report concludes that despite the relative height of the temporary stack, the effect would be no more than slight adverse and all views of the proposal would be seen within the context of the already established and visually imposing industrial area and for a limited time period only.

Further Heritage analysis is given in the form of the 'Heritage Assessment and Statement of Significance' supplied by the applicant. In establishing the magnitude of effect from the proposed development on designated sites in and around Darley Abbey and World Heritage Site reference is made to a significance of effects matrix table. The magnitude of impact from the proposed development on the significance of setting of the northern part of the World Heritage Site and Conservation Area is considered to be slight.

The applicant considers that the proposed development would have minimal impacts on the significance of the setting of Boar's Mill complex (approx.300m distance). It is concluded that impacts of the proposed development on the setting of St Matthew's Church (approx.700m distance) in Darley Abbey would be slight. The magnitude of impact from the proposed development on the significance of the setting of Darley Village is considered to be slight. The impact of the proposed development on the appreciation from the Derwent Valley Heritage Trail of the setting of designated assets, in particular Boar's Head Mill complex and Darley Abbey Village, is considered to be slight.

The magnitude of impact from the proposed development on the significance of the setting of Darley Abbey is considered by the applicant to be slight. The magnitude of impact on the significance of the setting of undesignated cultural heritage assets is also considered to be slight.

Ecology Appraisal

The ecological survey undertaken by the applicant (extended phase 1 habitat survey) identifies statutory designated sites, details their ecological value and potential impacts/effects. These include: Allestree Park Local Nature Reserve; Chaddesden & Lime Lane woods; Darley and Nutwood Local Nature Reserve; River Derwent Local Wildlife Site; Darley Park; Watermeadows; Nooney's Pond; Breadsall Railway Cutting; semi-improved grassland; deciduous woodland. The nearest being Nutwood LNR (approx.200m).

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Protected and notable species were identified from the desk study and observed during a field survey, as listed in section 3.3 of the report. For both components, no ecological features would be subject to potential impacts/effects as a result of the proposed works.

Further information has been submitted by the applicant detailing the potential air quality impacts on designated ecological sites. The report concludes the impacts of emissions from the chimney stack on pollutant concentrations and deposition rates at locally designated wildlife sites would all fall below screening criteria set by the Environment Agency. The applicant considers that the impact of the proposed development upon these ecological sites can therefore be classed as 'not significant'.

2. Relevant Planning History:

Application No:	DER/09/12/01097	Type:	Full
Decision:	Granted Conditionally	Date:	08/01/2013
Description:	Extension to industrial unit (offices), partial re-cladding of industrial unit and revised access layout		

3. Publicity:

Site Notice displayed on nearby street furniture

Statutory Press Advert

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

4. Representations:

A total of 453 objections have been received from members of public.

Objections have been received from ward members Councillors Eldret, Repton and Stanton.

- Councillor Eldret – strongly object to this application which I believe would have a detrimental impact on the local area
- Councillor Repton – objection on the grounds of its unsuitability in or adjacent to a World Heritage Buffer Zone and Conservation Area; noise and air pollution concerns; increased traffic movements; it would set a dangerous precedent as it may give a 'foot in the door' for a subsequent application for a waste recycling plant
- Councillor Stanton – serious concern for the suitability of such a development given the residential nature of the area

An objection letter from, former MP, Amanda Solloway has been received. The main points raised include: the siting of the facility is too close to residential properties; the effects of pollution on children who attend schools in this area; the impacts of pollutants from emissions on surrounding area, environment and air quality; concerns about the impacts of 16 lorry movements per day on the congestion of the locality; no hard facts relating to the possible impacts.

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An objection letter including counsel's opinion from No.5 Chambers was issued in April. Counsel's opinion advised that any grant of permission would be unlawful because: the failure to secure air quality monitoring; lack of information in relation to noise, heritage and ecology; consultation responses are misleading in the way they have been reported; differing conclusions on heritage impacts; lack of consultation in respect of ecological impacts. [The application was removed from the committee's agenda; these issues have now been addressed].

The main points raised from third party representations include:

- How the air quality will be monitored at the planned installation over the 18 month period, to ensure that actual air quality does not exceed modelled predictions.
- There appear to be no effective monitoring stations within the vicinity of the site to verify that emissions will actually fall within the predicted modelled outcomes.
- Extended exposure to our school children of air pollutant emissions.
- Local population will be exposed to harmful substance emissions and pollutants.
- Chimney would be prominently visible from the nature reserve.
- It would pollute the surrounding site with range of 100 recorded bird species and 150 wildflowers.
- No information on the composition of the waste materials to be destroyed.
- Incorrect statement regarding feed material being recycled.
- The burning process is not sustainable or renewable.
- The negative visual impacts of the development.
- Toxic emissions from the proposed plant which we understand have been shown significantly to increase cancer rates in children.
- The location is a flood risk area and could result in pollutants being drained into local rivers and water courses prior to and after treatment of the waste.
- Precautionary principle should be used.
- There is a potential for build-up of combustion gases on still days.
- Emissions from the incinerator are liable to damage plant and wildlife including historic trees and rare and protected species.
- The choice to place the site within one to three miles of dense population: (Chester Green, Darley Abbey, Breadsall and Allestree) seems bizarre.
- Not enough effort has gone into contacting local residents who are most at risk from airborne pollutants directly related to this project.
- The problem of the noise that would be caused by this project planned operation of 100 hrs per week 24 hours a day - Monday to Friday.

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- The Application is based on meteorological data from East Midlands Airport. This cannot take account of the specific micro-climate within the local topography.
 - Contamination needs to be prevented.
 - The incinerator would burn “SRF” which includes plastics. There are fears about pollutants including dioxins and furans being released into the air. Dioxins are extremely toxic to human health and are known carcinogens. This development is being considered solely on the basis of an air quality assessment commissioned by the company who want to build the incinerator.
 - The planned chimney and incineration process is ‘experimental’ and has never before been tested. Reaching temperatures of over 1500° Celsius, this technology is being ‘tested’ not only in a busy and highly populated area where the impacts are unknown; but the proposed development has a common boundary with a storage site housing highly explosive gases including propane, butane, hydrogen and oxygen. If any part of the incineration process went wrong, the consequences of explosion would be devastating, causing at minimum, multiple fatalities.
 - It is noted that the blast air coolers will produce a constant high pitched noise which will be heard within the surrounding areas.
 - The burning process is not sustainable or renewable, as plastics which could be reduced, reused or recycled, will instead be destroyed.
 - As well as being an eye-sore it could potentially pollute the site with its valuable range of 100 recorded bird species, and over 150 wild flowers.
 - A detailed technical appraisal has been submitted by an Energy Engineering Specialist. In short, objections are raised for the ‘pyrothermic converter’ design itself; the design of the ancillary process components: the feedstock quality concerns; the extent of emissions; the impacts on natural environment and community; large quantities of greenhouse gases emitted.
 - Based on the information provided, the reactor and process system design appear to be flawed for a number of reasons. This, along with discrepancies and omissions within the application give concern for the stability of the process along with doubts as to the reliability of the modelling and relevance of the environmental impact assessments. Greater detail to cover essential parameters such as reactor dimensions, energy balances, feedstock and air volumetric flow rates, air inlet(s) configuration, along with the size and mode of operation of ancillary process components, is also missing.
 - The reactor shown in this proposal does not have the features which I consider as essential to enable steady operation as proposed. It deviates from best method techniques.
 - Objectors argue that there have been breaches of emission regulations at other sites including the Isle of Wight.

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- Emissions would reach Darley Abbey, Allestree, Little Eaton, Breadsall, Chaddesden and Chester Green, and that is only naming the closest areas. Duffield, Quarndon and Derby itself would also be affected.
 - The current air quality assessment is biased in favour of its owners and is therefore not impartial.
 - Proposals for monitoring are woefully inadequate.
 - The Energas depot on Haslams Lane directly abuts onto the site - there are enough dangers from fire and explosions there without adding to the risks with almost definitely fatal consequences.
 - Can the city council allow itself to be responsible for the obvious risks involved with approving such a proposal?
 - This is a potential environmental bomb in an area surrounded by people and green spaces, never mind a large shopping area visited by tens of thousands of people.
 - Experimental facility to be built and tested in an area close to public facilities projects like this which damage the city's appearance and reputation.
 - The adverse effect on the significance of designated heritage assets including the World Heritage Site.

A Heritage Impact Assessment (by Guy Taylor Associates) has recently been submitted by the Darley Abbey Society which has also been duly considered by my colleague in the Council's Built Environment Team. This assessment does not use the UNESCO Heritage Impact Assessment Guidance which is highlighted in the Planning Practice Guidance. In summary, the Guy Taylor Associates heritage assessment evaluates in terms of:

- (1) The Church of St Matthew, in the context of views from the asset - slight harm/(i.e. less than substantial);
- (2) The Darley Abbey Mill Complex, in the context of views from the asset and the history and degree of change - slight harm/(i.e. less than substantial);
- (3) Darley Abbey Conservation Area, in the context of definition of scale and grain of surrounding streetscape, landscape and spaces, historic materials and surfaces, views to and from the asset, land use, history and degree of change - slight harm/(i.e. less than substantial); and,
- (4) Derwent Valley Mills World Heritage Site in the context of the definition scale and grain of surrounding landscape and spaces, openness enclosures and boundaries, historic material, integrity, history and degree of change, surrounding landscape, views to and from the asset, degree of interpretation or promotion to the public, the assets associative attributes - moderate harm/(i.e. less than substantial).

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5. Consultations:

5.1. Conservation Area Advisory Committee:

No objections raised.

5.2. Health and Safety Executive:

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

5.3. Highways Development Control:

In highway terms, the proposals are very much for an industrial use (B2); which is in keeping with the general location of the site; with trip generation being of a similar profile to that which would be expected for a B2 use. Further, the proposals are of a temporary nature. From the information provided at application (and pre-application) stage, the Highway Authority is satisfied that the proposals will not have a material effect upon the adjacent highway network. No objections raised.

5.4. Environmental Services (Health – Pollution):

1. The application is for a temporary (18 months) facility to test the operation of plant utilising CHP (combined heat and power) technology based on a pyrothermic conversion process.
2. The combustion testing facility itself is intended to operate for a total of 12 months and will only operate to test heat production, not power.
3. I note the suggestion in the application information that RDF (refuse derived fuel) will be used as the fuel, with the addition of diesel for start-up. However, I now understand that only pre-sorted SRF (solid recovered fuel) will be used as the fuel, which is considered to be of higher quality and less prone to contamination with hazardous wastes than the more generic categorisation of RDF.
4. Although suggested in the application, I understand that there is now no intention to receive deliveries of material via RORO (roll-on roll-off) HGV containers.
5. The site is an existing industrial site, formerly occupied by Hanson Concrete, which operated under an Environmental Permit.
6. The planning statement suggests that the closest residential properties to the site are those along Haslams Lane and Folly Road to the south west, however this is not the case. There are a series of residential dwellings to the south east of the site along Alfreton Road (Tomlinsons Cottages), within 200 metres of the site boundary.
7. The facility is proposed to process no more than 2.75 tonnes per hour of SRF, based on a maximum operational running time of 100 hours per week. SRF delivered to the site will be baled and wrapped in plastic.
8. The planning statement suggests that *“as the development does not involve any piling or foundations, there is considered to be no risk of creating new pathways to contamination arising from the proposed development”*. Whilst I acknowledge

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this point, the application does not appear to consider any existing ground contamination issues at the site. Given the site's industrial history, there is a high potential for the ground to be contaminated

9. I note however that the site is hard-surfaced and/or covered by buildings and therefore significant risks from most pollutant linkages will be broken. I would however recommend consideration of the potential for ground gases to impact the site, or surrounding sites.
10. I would recommend that a condition is attached to the consent, should it be granted, requiring a gas risk assessment desk study and where the study identifies that it is necessary, detailed assessment of ground gas risks to buildings on and adjacent to the site via a suitable monitoring regime. Where the results of the assessment recommend mitigation measures, the measures should be incorporated into the development before it is occupied.
11. The industrial activities proposed on site have the potential to generate significant levels of noise and the plant is intended to be operational during the day and night. In order to consider amenity impacts from noise, the applicant has submitted a *Noise Impact Assessment* (Enzygo Ltd, September 2016). I can comment on the report and its findings as follows.
12. The assessment follows BS4142:2014 methodology which is the most appropriate guidance for such circumstances.
13. Baseline noise measurements were undertaken on Tuesday 6th and Wednesday 7th September 2016 to determine representative ambient/background sound levels. The measurement durations are very short and thus limited in scope. Consequently, it is hard to say whether the monitoring actually captured 'representative' background/ambient levels.
14. In terms of background noise, I note that works may have been ongoing during these dates for both the Our City our River flood defence scheme and also construction works for the nearby industrial units development at the former Draka site.
15. The report describes general industrial noise, but does not specify whether construction works were being carried out during the survey. The activities carried out under the two construction schemes mentioned above would not be considered to be 'representative' of normal prevailing background noise conditions and could have affected the results by suggesting that background noise is higher than it normally would be, possibly impacting the assessment conclusions. Whilst this could only have affected the daytime noise measurements (since the construction works should not have been in progress at night) the affects upon the assessment could be significant.
16. A list of potential noise sources and associated sound power levels are provided in Table 4-1. It is unclear whether the stated levels relate to an individual item of equipment or whether they take into account the number of pieces equipment described in the table, for example a sound power level of 93dB associated with 7x *Cooling Water Pumps – return and pumps*.

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17. Whilst a general description is provided of the range of information sources used to estimate the sound power levels, the specific source of information for each of the levels used is not given. This makes it difficult to consider how appropriate the sound power levels used in the assessment are.
 18. Contrary to the Planning Statement submitted with the planning application, the noise assessment correctly identifies the nearest residential dwellings to the site as those on Alfreton Road (albeit that the address description is incorrect in that it should read '5 Tomlinson Cottages', not '5 Alfreton Road' as suggested in the report).
 19. Calculations of predicted source noise levels at the nearest receptors were undertaken using *SoundPLAN* (computer-based modelling software) and incorporated reductions in sound provided by the industrial unit building and barriers/fences proposed within the design of the proposed development.
 20. Notably, the predictions assume that the building will be fully sealed at all times, which in practice will not always be the case, especially during periods of loading of SRF material from the external storage area into the unit.
 21. There is some discussion regarding the application of penalties in section 4.5. With respect to the properties on Alfreton Road, although the justification for not applying penalties is arguable under BS4142:2014, given that the plant is not currently operational I do not share the confidence that tonal/impulsive noises will not be noticeable at these properties. On this point, I do not agree that the assessment is conservative and would suggest that the application of either a 5dB (2dB for tonality and 3dB for impulsivity) or a 3dB penalty (for other sound characteristics) would be a more robust approach.
 22. The approach for application of the 5dB penalties for the assessment of properties at Haslam's Lane is more reasonable.
 23. Notwithstanding all of the above highlighted issues, the assessment concludes a 'low impact' for all locations and time periods, with the exception of noise levels at 5 Alfreton Road, where an 'adverse impact' is predicted (depending on the context).
 24. The report then goes on to suggest that, within consideration of 'context', the property at 5 Alfreton Road is "*located in a predominantly industrial area (and) it is considered that, within the context of the existing environment, the impact would be low*".
 25. The report then also provides consideration of internal noise levels against BS8233 criteria. Such an assessment is not relevant to the situation under consideration and I therefore do not intend to discuss these findings further.
 26. Based on the information provided in the report, it is apparent that some noise from the site could be audible at the dwellings at Tomlinson's Cottages at night.
 27. Based on the information provided, noise from the site is unlikely to be obtrusive at night at dwellings along Haslams Lane and beyond. There are not expected to be any significant noise impacts at any sensitive locations during the day.

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28. In terms of noise impacts at Tomlinson's Cottages, I note my comments in point 23 above regarding the penalties used in the assessment, which are not considered to be sufficiently conservative. I do acknowledge however, the arguments in the report regarding the current and long-standing historical industrial nature of this location and therefore, whether noise impacts actually arise in practice can only be a matter of judgement at this stage.
 29. In my professional view, whilst there may be some degree of noise experienced, the risk of noise *significantly* affecting the residents of Tomlinson's Cottages at night, based on the nature of the location and within the setting of the planning policy framework and local planning policy GD5, is considered to be low.
 30. This is also considered in light of the historical use of the site as a concrete batching plant, arguably a noisier operation than that proposed under the current application and which, according to this Department's records, never generated any complaints regarding excessive noise.
 31. Furthermore, the proposals are temporary in nature (i.e. a maximum of 12 months full operation) and the operations are only proposed during weekdays, removing noise impacts from the more sensitive weekend periods, pertinently Sundays.
 32. Based on these considerations, I believe a refusal of the planning application based solely on noise amenity grounds would be very hard to justify.
 33. Given the potential emissions to air from the incineration of waste on site, the applicant has submitted an *Air Quality Assessment* (Air Quality Consultants Ltd, 30th September 2016). I can comment on the report and its findings as follows.
 34. The assessment includes dispersion modelling of a number of air pollutants using the ADMS-5 modelling software. It also includes a subjective odour assessment.
 35. Emissions from traffic associated with the plant have been scoped out of the assessment. Given the limited number of predicted HGV movements associated with the operations, this is an acceptable approach.
 36. Background levels have been based on the DEFRA background maps for NO₂, PM₁₀, PM_{2.5}, SO₂, benzene and 1,3-butadiene. Background concentrations of metals have been based on data from the Walsall Bilston monitoring site (in 2014), which is part of the UK Heavy Metals Monitoring Network.
 37. Maximum emission rates of SO₂ and NO_x have been produced by Envirofusion. The emission rates of all other pollutants considered in the assessment are derived from the European Industrial Emissions Directive (IED) limits.
 38. The screening criteria (based on the UK AQ Regulations and Environment Agency EALs) and assessment methodologies (namely IAQM/EPUK Guidance) used for consideration of air quality impacts in the report is in line with current best practice and deemed appropriate.

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39. With respect to odour assessment, the *H4 Odour Management* guidance published by the Environment Agency (2011) and *Odour Guidance for Local Authorities* (DEFRA, 2010) have been used as the basis for a judgement on potential odour impacts from the site. Whilst these two documents provide useful guidance for managing and monitoring odours from operational sites, they have very limited use for odour impact assessment for new development at the planning stage.
 40. No reference is made to IAQM's *Guidance on the assessment of odour for planning (2014)*, which contains more appropriate guidance than those used in the report. I have discussed odour impacts in the separate section on odour below.
 41. The chosen receptor locations modelled in the assessment are appropriate and represent the closest sensitive receptors to the site.
 42. The model has been run assuming that all pollutants are emitted at the maximum emission rates throughout the year. This is unlikely to be the case in practice and the model is therefore considered to be conservative.
 43. The modelling includes predictions of 'process contributions' to the ambient air for a total of 24 chemicals against 38 different assessment objectives/standards.
 44. The report does not list the chosen receptor locations, however they are depicted on a map entitled Figure 1 (page 15). From the map, it appears that around 30 receptor locations were modelled, in addition to grid modelling based on a 4x4km grid with grid points at 50m intervals.
 45. Table 5 describes the maximum process contributions (PC) modelled for each of the 38 chemicals across the grid and at the 30 chosen receptor locations.
 46. The modelling predicts very small increases for all pollutants of concern, with the maximum predicted increase calculated at 10% of the stated health assessment standard (for SO₂).
 47. For all modelled pollutants, the predicted environmental levels (PEL) across the 4x4km grid (in other words the process contribution from the plant plus the background concentrations) does not exceed 58% of the health standard.
 48. Based on the results, emissions from the plant are predicted to have a negligible impact on local air quality and/or human health.
 49. Emissions from the plant are predicted to be very small when considered against criteria designed for the protection of human health.
 50. Existing background concentrations of all air pollutants far exceed the potential contributions from the plant and even when combined, no health criteria are predicted to be exceeded.
 51. The modelling is based on worst-case assumptions and so the true emissions are likely to be lower than those described in the assessment, which is especially the case since the decision to restrict the site to receive only SRF material.

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52. This is coupled with the fact that the site is only temporary in nature, which is significant in that the health criteria values are generally based on health risks over a lifetime of exposure.
 53. Based on the information provided, the proposals do not conflict with either local or national planning policy and so a refusal on air quality grounds would not be justified.
 54. Notably, the odour assessment submitted with the application is based on the plant receiving and processing RDF material. I understand that the applicant has now committed to only receiving SRF material to the site which is generally less odorous due to a lower organic matter content and a pre-treatment process involving drying.
 55. The applicant proposes to store the SRF material outdoors (up to a maximum of around 70 bales), however it will be received on site in pre-wrapped bales. I understand that bales will be moved indoors using a 'grabber' and will not be unpackaged until inside the unit building.
 56. The report suggests that the nearest residential dwellings are located approximately 300m to the south east of the site. This is factually incorrect. The properties at Tomlinson's Cottages on Alfreton Road are approximately 200 metres from the proposed waste storage area.
 57. I acknowledge the comment that residential dwellings are generally not downwind of the prevailing wind direction. Those that are downwind are a significant distance away (more than 1km). There are however a number of industrial and commercial premises closer to the plant, in particular the popular Meteor Shopping centre and Supermarket.
 58. Whilst it is hard to predict accurately the level of odour produced from the waste stored at the site, I do have a degree of concern about odours affecting local businesses, especially during the warmer summer months.
 59. I would strongly recommend that contingency arrangements are developed in case of equipment downtime, so that any excess waste can be quickly moved from site so that it doesn't accumulate.
 60. Should any odour issues arise in the form of substantiated complaints, I would strongly recommend that the site puts in place arrangements to immediately allow waste to be either removed from the site or stored in the building, rather than outdoors. I would recommend a condition requiring this.
 61. As for odours, I do have a degree of concern regarding possible fly nuisance due to the waste being proposed for storage outdoors.
 62. The application contains limited consideration of possible fly nuisance.
 63. Whilst the nature of the waste (i.e. pre-dried SRF) and the fact that it will be baled and plastic-wrapped should help to mitigate the potential for fly nuisance, I would recommend that detailed fly control procedures are developed for the site.

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64. I would therefore recommend a condition requiring the submission of a detailed pest control management plan (focussing heavily on fly control procedures), to be agreed by the LPA before the development commences.

Additional comments on submitted amended information (March 2017):

To further support the amendments, the noise and air quality impact assessments have been updated to reflect the changes. You will note from my comments of the 27th January 2017 that the above amendments were already known to me at the time they were written and therefore the changes already form part of the considerations that informed the Environmental Protection Team's position on environmental matters.

65. The air quality impact assessment conclusions remain unaffected by the proposal to use SRF instead of the previously proposed RDF. This is because, for the majority of potential pollutants, the assessment was based upon the plant operating at the emission limits likely to be prescribed under the plant's Environmental Permit. The assessment still assumes this 'worst case scenario'. In practice however, the plant is likely to operate below the emission limits and the use of SRF instead of RDF should reduce the emissions further still. The reduction in the number of diesel generators should also help to reduce air pollution emissions on site. Overall, the amendments to the application are welcomed by the Environmental Protection Team on air quality grounds and our comments of January 2017 remain unchanged. SRF should also have lower odour levels than RDF and so this is a positive move in this regard.
66. The Noise Report Addendum re-calculates predicted noise levels based on the updated proposals. It also now considers noise levels from the shredder with a roller shutter door open, taking into account one of this Department's earlier comments regarding the potential inaccuracy of the original assessment. The assessment now concludes that some degree of negative impact could be experienced by properties on Alfreton Road (Tomlinson's Cottages) at night. The exceedance of the criteria is however marginal (a rating level +5dB over the background level) and the report argues that the local context, namely the fact that the properties are located in a location with a long standing history of industrial noise, suggests that the impact should be concluded as low.
67. I do however note that there have still been no penalties applied to the rating values in respect of properties along Alfreton Road. I still believe this to be an omission, which would suggest a potentially larger impact upon those properties than that reported i.e. resulting in a rating value as high as +8db or +10dB over the background.
68. I do have some concerns regarding the impact of noise at night affecting properties at Tomlinson's Cottages at times when the roller shutter doors are open. I would however refer you to the discussion on noise in my earlier comments of January 2017, the conclusions of which remain unaffected by the amendments. In practice, a noise management plan is required under the plant's Environmental Permit and this should help to minimise the risk of noise nuisance. Furthermore, the Permit also means that this Department would have strict regulatory control over any noise arising from the plant which could quickly be used in the event of any complaints.

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5.5. Historic England:

This application is for development of facilities to enable the testing of a new technology based on a pyrothermic conversion process at Unit 7, Northedge Business Park, Alfreton Road, to include the erection of a 20m chimney stack (temporary installation for 18 months). The site lies within the buffer zone of the Derwent Valley Mills World Heritage Site (DVMWHS) and within the setting of highly graded heritage assets including the Darley Abbey Mills complex, and the Darley Abbey conservation area.

The buffer zone - as defined is the area surrounding the World Heritage Site to give an added layer of protection to the World Heritage Site. It can therefore be seen as part of the setting (though setting can be more extensive than the buffer zone). The presence of the buffer zone recognises the need to acknowledge and protect the significance of the DVMWHS as a cultural landscape. Within the WHS the relationship between the industrial mill buildings within the historic settlement, the River Derwent and its tributaries, and the topography of the surrounding rural landscape, with historic roads connecting the settlements, is a key element of the character and significance of the Buffer Zone. This relationship today is spatial, visual and historic. In the immediate area adjacent to the development site, the open fields form part of this character, contributing to the setting of the WHS.

This proposal has the potential to affect the significance which the designated heritage assets derive from their setting. Though we appreciate the established industrial nature of this immediate area and the temporary nature of the proposal, the surrounding industrial buildings are relatively low rise. By comparison, the proposed chimney stack would be 20m in height and this along with the proposed materials to be used and emissions from the stack will be important factors in assessing the potential impact of the proposed development on the surrounding heritage assets and their settings.

We note the inclusion of a Heritage Setting Assessment along with photomontages/viewpoints which show long distant views. However, we would highlight that the significance and experience of this area is not confined to static views, much of the contribution to the significance of the DVMWHS and the setting of Darley Abbey Conservation Area, lies in moving along the area which creates a cumulative experience of the overall character of this part of the DVMWHS. This is an important factor when assessing the potential impact of the development. We refer you to relevant parts of the PPG and GPA3- *The Setting of Heritage Assets*. It will be for your authority to consider whether there is sufficient information to determine this application in line with 128 and 129 of the NPPF

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

5.6. Derbyshire Wildlife Trust:

We have reviewed our datasets and we are aware of the following interest immediately adjacent to the proposed development site:

- Water Meadows Local Wildlife Site (LWS)

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- Water vole records associated with the Water Meadows LWS.

It is understood that the proposal is for the installation of a temporary test facility and chimney. It is anticipated that the proposals will be confined to the red line site boundary. We do not anticipate that the proposals will result in an impact on any features of ecological interest; however there is the small risk of a pollution incident that could impact on Water Meadows LWS depending on how materials are stored on site. If the Council are minded to grant planning permission for the proposed development then it is recommended that a condition or advisory note is attached to any permission to ensure that materials are stored in a suitable manner on site to ensure that any pollution incidents during construction can be avoided

The application is supported by a Preliminary Ecological Appraisal prepared by Enzygo environmental consultants issued 12th June 2017 together with studies of the impacts of air emissions on ecology. The Preliminary Ecological Appraisal presents the findings of an Extended Phase 1 Habitat Survey undertaken on 12th June 2017 and was informed by an appropriate desk study. The site is located within an area of established industrial units and the proposal does not require the loss of trees or natural habitats and, as such, there is unlikely to be any direct ecological impact associated with the proposal. It is understood that air quality studies following the Environment Agency's Air Emissions Risk Assessment guidance have determined that predicted air quality impacts on local wildlife habitats will be insignificant. We would point out that air quality issues are outside of our particular field of expertise but air quality issues would be controlled by the environmental permitting process under the jurisdictions of either the Local Authority or the Environment Agency. We have also considered the contents of the letter from Anthony Mellor of RammSanderson dated 26 June 2017 and concur with the conclusion that the proposal is not considered to have any significant adverse ecological impact.

5.7. Environment Agency:

The Agency has no objections, in principle, to the proposed development but recommends that if planning permission is granted the following planning conditions are imposed:

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission. The development permitted by this planning permission shall be carried out in accordance with the approved Amended Flood Risk Assessment (FRA) <4th September 2012 / MIP00341/FR1 /Jackson Purdue Lever> and the following mitigation measures detailed within the FRA: Finished floor levels are set no lower than 600mm above the 1 in 100 year flood level appropriate to the respective parts of the site which ranges from 49.3-49.8m above Ordnance Datum (AOD), as stated in Section 6.0 Summary Of Flood Mitigation Measures of the approved Flood Risk Assessment (FRA) listed above.

The proposal appears to involve the importation of refuse derived fuel to be subjected to the 'thermal treatment' at a rate of 2.75 tonnes per hour based on a 100 hour per week operation. Nothing is mentioned in the application about the potential

necessity to apply for an environmental permit to operate. The process is not described in sufficient detail to determine conclusively whether or not it would be classed as an incineration activity. However, the air quality assessment refers to pyrolysis and combustion in the introduction which suggests that it is an incineration activity. For incineration plant having a capacity greater than 3 tonnes per hour of non-hazardous waste the appropriate regulator would be the Environment Agency. Otherwise it might be classed as a small waste incineration plant and require a permit from the local authority. It is recommended that the applicant contacts the Environment Agency or local authority pollution control team to determine which would be the most appropriate environmental permit.

5.8. Built Environment:

These comments are made in the light of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the relevant National and Local Planning Policies and Guidance (including the National Planning Policy Framework, Historic England guidance, the Derby City Local Plan Part 1 (2017), the saved policies in the Local Plan Review (January 2006) and other relevant guidance.

Introduction – Designated heritage assets nearby

The site is located to the east of the River Derwent and its flood plain on a relatively level site that then extends to the valley sides further to the east.

Where the chimney is proposed is just outside the Derwent Valley Mills World Heritage Site (DVMWHS) the boundary of which runs along the flood plain boundary. The site is located within its buffer zone (which is the World Heritage Site's immediate setting). The site is not undeveloped or farmland. It is industrial in character and has industrial modern shed upon it as does the area around it. Looking at historic maps there were industrial sheds on this site well before the DVMWHS was inscribed in 2001.

In assessing this proposal we have to have regard to the NPPF and NPPG, the Local plan core strategy Policy C20 and AC9 (which highlights the DVMWHS Management Plan 2014-2019 and the need to conserve the attributes of the Derwent Valley Mills World Heritage Site which are identified within the World Heritage Site's Statement of Outstanding Universal Value). In this case the importance of the setting of the DVMWHS is highlighted within 2.7.3 of the Management Plan which states 'The protection of the setting this World Heritage Site is particularly important, because of the critical significance to the Property's OUV of the location of the mills and their associated settlements, within a rural landscape, arrested in time. Because it is of vital importance to the maintenance of the Property's OUV for the setting to remain rural, the respective local planning authorities have adopted policies to ensure the protection of this setting. In order to assist clarity as to what constitutes the immediate setting of the DVMWHS's setting a Buffer Zone has been defined'.

There is also a need to assess the impact of the proposal against the value of the Heritage Asset which is of international importance and of very high value. The NPPF (para 132) states that the more important the asset the greater weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

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We are advised in the NPPG (2014, para 035) that it is useful to use the UNESCO Heritage Impact assessment guidelines.

There are a number of highly graded listed buildings nearby, including those on the Darley Abbey Mills site. These are a collection of listed buildings including grade I listed Long Mill, West Mill, Middle Mill, East Mill, Bobbin shop and drying shed, Engine House and Chimney on the site. There are grade II* listed buildings on site. These are North Mill, the Proto fireproofing building and open fronted shed (named in listing description as Preparation shed, cottage, workshop and cart sheds), North Mill, Engine shed and boiler house and grade II listed buildings within the Mill complex such as the saw mill, Workshop, Fire station, Mill managers house, coppice barn, Saw mill, 4 Old Lane and 1-3 Old Lane. There is also the Church of St Matthew's nearby and the grade II and II* workers cottages which are further away from the proposal. It is important to look at these listed buildings and, although the physical building is not being affected, we need to assess whether their setting (which is part of their significance of the listed building) is being affected and to what degree and whether the change is negative or positive.

The Darley Abbey Conservation Area is also located nearby and includes the cluster of listed Darley Abbey Mills buildings and St Matthew's Church on Church Lane. It also includes other listed and non-listed buildings relating to the workers buildings which are further away from the site and obscured by vegetation and other buildings from the application site.

Historic maps highlight that the site has been industrial in character since the 1950's and 1960's before the DVMWHS was inscribed in 2001 and before the listed buildings were listed and the conservation area was designated.

Applicants Heritage Assessment

The NPPF (2014) state that applicants proposing change that might affect the Outstanding Universal Value, integrity and, where applicable, authenticity of a World Heritage Site through development within the Site or affecting its setting or buffer zone (or equivalent) need to submit sufficient information with their applications to enable assessment of impact on Outstanding Universal Value. This may include visual impact assessments, archaeological data or historical information (NPPG 2014).

The applicant has submitted a Heritage Assessment and Statement of Significance. I have the following comments to make on this: -

- The statement does not mention section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in the policy analysis and the statutory duty which means that the LPA shall have special regard to the desirability of preserving the building or its setting.
- Appendix 1 highlights the designated sites and listed buildings which are potentially impacted on by the proposal. In terms of the Darley Abbey Mills listing description these cover certain buildings on the site, including the chimney, and should really be listed as the individual buildings under each listing entry. On this page the listing grade of items has not been clarified e.g. St Matthew's Church has not been labelled as grade II listed. It would have been helpful if the statement and heritage impact assessment went through each of

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the assets in clusters and included individual listed buildings where there were particular impacts including e.g. Chimney of Mills Complex, St Matthews Church in turn in terms of visual impact and the other elements that are assessed as part of setting (as outlined in the Historic England Guidance on Setting GPA3, 2015). Looking at the stages the document goes through assessment step 2 on whether, how and to what degree make a contribution to the significance of the heritage asset and the assessment step 3 assessing the effect of the proposed development, in my view, has not been clearly explained. The analysis of the setting of a heritage asset goes beyond just visual impact.

- The impact on specific elements on the OUV of the DVMWHS has not been highlighted.
- It has not been clarified that the UNESCO HIA guidance (2011) has been used (although part of the table may be adapted from this guidance).
- Their document states that the magnitude of impact on the setting of DVMWHS, Darley Abbey Conservation Area, Darley Abbey Mills, St Matthew's Church, the Scheduled Ancient Monument the Abbey, and undesignated heritage assets is said to be 'slight'.

Despite my comments above and the heritage assessment and statement of significance not being very clear I would agree with the overall assessment that the impact on the DVMWHS, some elements of the listed Darley Abbey Mills (including the chimney and St Matthew's Church) the Darley Abbey Conservation Area and other undesignated heritage assets is 'slight' using the UNESCO guidance.

Impact on the Heritage Assets

In terms of the impact on the designated heritage assets; the DVMWHS (as its setting as part of its significance), listed buildings (and their setting as part of their significance) and the setting Darley Abbey Conservation area, the site is predominantly experienced to the west of the site along the Heritage Way public walk and footpaths and from the west and south from within the conservation area. The site and the area surrounding it within the buffer zone is an industrial site of dominant modern metal sheds and have been of this character for some time.

To assess the impact on this heritage asset I am using the UNESCO guidance on Heritage Impact Assessments (2011) as advised by the NPPG 2012. The value of this heritage asset is 'Very High' (appendix 3A).

In my view it is the historic landscape attribute of the Outstanding Universal Value (OUV) which is being affected and the immediate setting of the DVMWHS along with the setting of listed buildings which are another attribute. These are identified within the DVMWHS Management Plan. Using the UNESCO guidance the magnitude of impact, using the 5 categories (Appendix 3B), is in my view 'Negligible' change. This is defined on p17.

The significance of effect or overall impact, in my view, would be 'slight' negative rather than positive impact.

The overall impact would be slight and negative and, in NPPF terms, classed as less than substantial harm (paragraph 134) to the setting of the World Heritage Site which is part of the significance of this Heritage Asset.

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There are a number of listed buildings within Darley Abbey but due to their distance away from the site, other features and land topography the setting (as part of the significance of the asset) of very few will be affected. The degree of change, due to the current use of the site, is also limited. The setting of the following listed buildings will be slightly affected in terms of visibility from the asset but I would argue that the impact is less than if the land had been still a part of the rural 'arrested' rural historic landscape (as defined in the OUV and as an attribute within the DVMWHS Management Plan). The setting (and therefore significance) of listed buildings that are impacted upon include the grade I chimney on the Darley Abbey Mills site and the grade II Church of St Matthew. In my view the temporary 20m chimney will not have 'no impact' on the setting of the World Heritage Site and these listed buildings but will have a slight impact on its setting. In this case we have to have regard to the duty of section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

The overall impact on the setting (and therefore their significance) of the listed buildings listed above is slight and is negative. In terms of the NPPF this impact can be classed as less than substantial (NPPF, para 134).

We have to have regard to the setting of the conservation area (as regards the Derby City Local Plan – core strategy part 1 policy C20 and the saved Local Plan Policy E18). The main impact on the conservation area's setting is views towards the industrial buildings on the Northedge Business Park from St Matthew's Church (which is located along with its church yard) which is within the conservation area and from the south/south west from the edge and buildings, such as the chimney, within the Darley Abbey Mills site which are within the conservation area. I therefore conclude that there would be slight negative impact on the setting of the conservation area which equates to, in NPPF terms, less than substantial harm (paragraph 134).

In its consultation response Historic England state... we would highlight that the significance and experience of this area is not confined to static views, much of the contribution to the significance of the DVMWHS and the setting of Darley Abbey Conservation Area, lies in moving along the area which creates a cumulative experience of the overall character of this part of the DVMWHS. This is an important factor when assessing the potential impact of the development. We refer you to relevant parts of the PPG and GPA3- The Setting of Heritage Assets. It will be for your authority to consider whether there is sufficient information to determine this application in line with 128 and 129 of the NPPF

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

I am satisfied that a thorough analysis of the submitted information has been carried out. This analysis includes the relevant UNESCO guidance and the full range of heritage assets have been properly considered in this case.

Conservation recommendation: - The proposed chimney will have a slight negative impact on the heritage assets and it would be preferable not to have it at all. However this is a tall slender element, is not over dominant and is located on an industrial area. As this is a temporary development for 18 months only (I suggest is not extended) I suggest accepting it on this basis.

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The proposal in my view will have a slight overall impact, which is negative, on the significance of the heritage assets listed above (in terms of setting) and the harm would be less than substantial. In accordance with the NPPF para 134 the harm to heritage assets now has to be weighed up against the public benefits of the scheme.

5.9. Land Drainage:

The proposals are for the temporary consent for an industrial process in an existing industrial building. In flood risk terms, this represents no increase in vulnerability of the premises. The building which will contain the industrial trial will continue to be classified as 'Less Vulnerable' and the site is identified in the Flood Risk Assessment (FRA) to be within Flood Zone 2. The FRA reported that the drainage provision and finished flood levels have already been set for the building in accordance with a previous planning consent, with the current proposals effectively being a temporary change of industrial function. It appears that the proposals will not significantly alter the pattern of occupation or the structural or drainage configuration of this existing building. As such, I have no objections to the proposals, based on the information submitted, as they will not materially increase flood risk in any way.

However, as an advisory note, it is recommended that consideration is given by the applicant to the contamination of possible flood waters by this industrial process and the means by which the risk of pollution of receiving water can be mitigated (e.g. elevated storage of contaminants and machinery, training and the use of flood warnings to trigger a flood action plan).

5.10. Derwent Valley Mills World Heritage Site Conservation and Planning Panel:

The proposed development lies within the Buffer Zone of the Derwent Valley Mills World Heritage Site (DVMWHS). 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

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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.

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 have received the following advice:

The site for the proposed development is visible from the Darley Abbey Mills which is a key attribute of the WHS. It is understood that it contains a number of existing industrial buildings and structures and it is within the wider industrial context of the Northedge Business Park which features other similar built forms. A consistent band of existing mature trees and vegetation provides a reasonably good level of visual screening to the industrial estate when seen from other areas in the WHS, including the Darley Abbey Mills complex. Temporary permission is being sought for the erection of a 20m high chimney stack which would be located on the West elevation of the existing industrial unit, owned by Envirofusion, which abuts the WHS boundary. The application drawings and photomontages indicate that the proposed chimney stack would be one of the tallest built features within the industrial estate and that it would be a visible component of the landscape given the relatively flat topography.

The proposed development is within the boundary of a well-established industrial estate, and, although this could be considered ‘vertical’ incremental change, I do not consider that it is of a scale that is out of character for its context or that it would have a significant impact on the setting of the WHS. This is also in view of the fact that the chimney stack is represented as slender built form, of approximately 1.0 to 1.2m, and at least half of its height should be visually subsumed by the existing mature vegetation and the industrial unit it would be built against. Therefore, the World Heritage Site Partnership does not consider that this will, overall, have a dominant presence in the setting of the WHS; particularly as there are also a number of other strong vertical elements within the industrial park and from the adjacent sports fields.

In consideration of the above and in view of the temporary permission being sought for the proposed development it is to this end that the WHS Partnership does not feel that the proposed development will have a negative impact on the reasons for the inscription of the WHS and consequently its OUV. It is important to note that this advice is notwithstanding the potential environmental impacts of the chimney which will need to be taken into consideration separately/by others as part of the planning process.

5.11. DCC Archaeologist:

The proposal site is located peripherally within a site on the Derbyshire Historic Environment Record relating to ridge and furrow in the field to the north, although this asset will not be impacted by the current proposals. The site is some 670m north of the former Draka Cables (Eagle Park) site where Roman archaeology was recently

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encountered during redevelopment, and 770m north of the boundary of the City Council's Archaeological Alert Area relating to the Roman fort and civil settlement at Little Chester.

It seems very unlikely that the Roman activity associated with Little Chester extends this far north, or that the Ryknield Street Roman road crosses the site (the HER places it 300m to the east, although this is a conjectural alignment). I also note that the proposed ground impacts are very modest and are confined to the relatively limited site of the proposed chimney. I therefore advise that an archaeological response is not justified under the policies at NPPF chapter 12.

6. Relevant Policies:

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

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

CP1(a) Presumption in Favour of Sustainable Development
CP2 Responding to Climate Change
CP4 Character and Context
CP10 Employment Locations
CP19 Biodiversity
CP20 Historic Environment
CP23 Delivering a Sustainable Transport Network
AC9 Derwent Valley Mills World Heritage Site

Saved CDLPR Policies

GD5 Amenity
E18 Conservation Areas
E19 Buildings of Historic Importance
T10 Access for Disabled People
E12 Pollution

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

[http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core%20Strategy ADOPTED DEC%202016 V3 WEB.pdf](http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core%20Strategy%20ADOPTED%20DEC%202016%20V3%20WEB.pdf)

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

<http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR%202017.pdf>

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

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

7. Officer Opinion:

Key Issues:

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

7.1. Heritage Impacts

7.2. Environmental Impacts – Noise, Air quality and Health

7.3. Traffic and highway impacts

7.4. Other Matters

Introduction

This application seeks permission for a temporary period of 18 months only for the operation and decommissioning of a facility for testing waste to energy technology that includes associated external equipment and external chimney stack structure. Such a temporary permission can be secured by the use of a suitably worded condition.

The testing of equipment is for a waste to energy technology that involves a thermal process which produces heat energy. The technology is being advanced with the prospect of its commercial applicability for renewable energy. For purposes of disambiguation, the proposed development would not be a waste treatment facility, as classified in the waste hierarchy (Article 4 of the revised EU Waste Framework Directive (Directive 2008/98/EC), rather it is a facility for testing waste to energy technology.

The outcome of the testing potentially could provide for the following public benefits:

- renewable energy benefits of waste processing technologies,
- electricity generation
- reduction of waste to landfill (sustainable waste management)
- reduction of carbon emissions

It is worth making clear that separate to this planning application, the applicant formally applied to the City Council's Environmental Health Department for the relevant environmental permit under the 'Environmental Permitting Regulations'. Subsequently, the Environmental Permit was issued in May this year. This planning application and the environmental permit are entirely separate and their outcomes are entirely independent of one another. The permit itself contains elements that act like a noise management and emissions to air monitoring plan containing a number of detailed conditions and requirements relating to the control of noise and monitoring of emissions to air. Paragraph 122 of the NPPF advises that "Local planning authorities should assume that these pollution control regimes [ie those covered by the permit] will operate effectively".

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The site of the proposal is in an existing business and industrial area, which is in the World Heritage Site Buffer Zone and identified in the Council's SFRA as Flood Zone 2/3. The site benefits from an established B2 Use Class (general industrial). The proposal would use solid recycled fuel (SRF) which is defined as a fuel produced from non-hazardous re-cycled waste. The SRF would be used as part of the testing process rather than waste treatment in itself. Thus, the proposed testing facility and what it encompasses is an extension to an existing industrial use to enable the company to test a new design of their product. Recently adopted Policy CP10 allows for B1, B2, B8 and alternative uses within existing business and industrial areas. Any alternative uses are acceptable so long as the industrial character is not undermined, or devaluing the employment generating potential of the area or lead to the loss of important units. In my opinion, the proposal would meet all the above criteria.

7.1. Heritage Impacts

In considering the application decision makers must engage Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 which requires the local planning authority to:

- have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses;

Harm to the significance of designated heritage assets is a matter to which considerable importance and weight should be given in any planning balance. Policy AC9 seeks to protect, preserve and enhance the Derwent Valley Mills World Heritage Site. Proposals within the Buffer Zone will only be approved if they do not adversely affect the Outstanding Universal Value (OUV) of the World Heritage Site or its setting.

Saved Policies E18 and E19 of the City of Derby Local Plan Review, seek to preserve and enhance the character and appearance of Conservation Areas and the historic interest of listed buildings from development which is harmful to their significance.

The newly adopted Local Plan – Part 1 policy CP20 (Historic Environment) carries forward these intentions and requires proposals which impact on heritage assets to preserve and enhance their special character and significance through appropriate siting, alignment, use of materials, mass and scale and take account of best practice guidance.

NPPF (paragraph 132) advises that when considering the impact of a proposed development on the significance of a designated heritage asset (which includes assets such as a Listed Building, Conservation Areas and World Heritage Sites) that:

- great weight should be given to the asset's conservation;
- the more important the asset the greater weight should be given;
- the significance of an asset can be harmed through alteration, destruction or development within its setting;
- harm or loss requires clear and convincing justification.

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Guidance in the NPPF provides that proposed developments involving substantial harm to or loss of designated heritage assets should be exceptional and in the case of heritage assets of highest significance such as World Heritage Sites and Grade I and II* listed buildings should be wholly exceptional. In the case of other designated heritage assets such should only be permitted if either the loss or harm is necessary to achieve substantial public benefit that outweigh the loss or harm caused by the development or if the specific tests set out in paragraph 133 are met.

In cases where the harm to the designated asset is considered to be less than substantial, paragraph 134 of the NPPF provides that the “harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

Causing ‘less than substantial harm’ is not to be equated with a ‘less than substantial’ objection to the grant of planning permission. Even ‘less than substantial harm’ should be given considerable importance and weight.

The application site lies within the buffer zone of the Derwent Valley Mills World Heritage Site (DVMWHS). The existing application building and other nearby large industrial units reflect the industrial nature of Northedge Business Park. In itself, the application building stretches 12m in height with the upper section rising above the western boundary tree line. The proposed temporary stack structure would be 20 metres in height, some 8m above the ridge of the existing building. The application site is 210 metres from the nearest point of the Darley Abbey Conservation Area and approximately 300 metres from the Darley Abbey Mills Complex, south west of the site.

Within the accompanying ‘Heritage Assessment and Statement of Significance’ document submitted by the applicant, an appraisal is given upon designated cultural heritage assets potentially affected by the proposed chimney stack.

The report recognises the very high sensitivity of the World Heritage Site and high sensitivity of the Grade I and II* listed buildings and the conservation area, concludes that:

- there would be no direct impact on designated cultural heritage assets;
- the operational air quality and odour impacts of the proposed stack would not be significant and therefore impact on air quality within the World Heritage Site would not be significant
- impacts on setting on the cultural assets in terms of (i) the significance of the setting of the northern part of the World Heritage Site and Conservation Area; (ii) on the significance of the setting of Darley Village; (iii) on the appreciation of the Derwent Valley Heritage Trail of the setting of the designated assets, in particular the Boar’s Head Mill complex and Darley Abbey Village; (iv) on the significance of the setting on Darley Abbey as a scheduled monument; and (v) on undesignated cultural heritage assets were all considered to be ‘slight’.

The Derwent Valley Mills World Heritage Site Conservation and Planning Panel advise that they do not feel that the proposed development will have a negative impact on the reasons for the inscription of the World Heritage Site or its Outstanding Universal Value. It is also noted that the Conservation Area Advisory Committee have no objections to the proposal.

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Historic England do not object to the proposal but advises that the proposed chimney stack the height and the proposed materials to be used and the emissions from the stack will be important factors in assessing the potential impact of the proposed development on the surrounding heritage assets and their settings. Whilst noting the Heritage Setting Assessment they advise that an important factor in assessing the potential impact should not be confined to experience of this area is from static views, as much contribution to the significance of the DVMWHS and the setting of Darley Abbey Conservation area, lies in moving along the area creating a cumulative experience of the overall character of this part of the DVMWHS.

While the chimney stack represents vertical development, it would be of a relatively slim built form, being 1m – 1.5m in diameter. Moreover, much of the structure would be screened by the industrial building it would be built against. Importantly, further screening would be provided by the existing mature trees and vegetation along the western boundary. Even though some trees close to the industrial building have very recently been removed to make way for the current flood defence works (Our City Our River), dense mature groups of trees and vegetation are retained and are strong landscape features along the more sensitive western boundary.

Obviously, from close range views, the upper section of the proposed temporary chimney stack would be visible and have a degree of visual presence, as seen from views from trips along the Derwent Valley Way footpath. The stack would be more evident during winter months, as leaf cover of the interceding tree line would alter. More generally, sightlines toward the application site and chimney stack would be visually filtered through the interceding mature vegetation and contained views glimpsed above the tree line. In an attempt to mitigate the physical presence of the chimney stack, the applicant has repositioned the stack eastwards by approximately 5.5 metres, behind the northern flank elevation of the existing building. The result is that some 12 metres of the chimney stack would be shielded by the end of the building.

My colleague in the Built Environment Team, who is the Council's own specialist consultee on design and conservation matters, has provided detailed comments on this application and these are reproduced in full on pages 19-22. In conclusion it is considered that...

The proposed chimney will have a slight negative impact on the heritage assets and it would be preferable not to have it at all. However as this is a tall slender element, is not over dominant and is located on an industrial area. As this is a temporary development for 18 months only (I suggest is not extended) I suggest accepting it on this basis.

The proposal in my view will have a slight overall impact, which is negative, on the significance of the heritage assets listed above (in terms of setting) and the harm would be less than substantial. In accordance with the NPPF para 134 the harm to heritage assets now has to be weighed up against the public benefits of the scheme.

The Guy Taylor Associate heritage impact assessment similarly categorises the impact to the various heritage assets (namely the Church of St Matthew, the Darley Abbey Mill Complex the Darley Abbey Conservation Area and the World Heritage Site) as being less than substantial harm, although in terms of the degree of harm to

the WHS it considers such to moderate rather than slight. It should however be noted that this assessment, has not used the UNESCO guidance on Heritage Impact Assessment for World Heritage Sites as highlighted in the Planning Policy Guidance.

Accordingly we are more inclined to accept the assessment of the overall impact to the heritage assets of the Council's Built Heritage Officer. In terms of policy the proposal would be contrary to the Local Plan Review policies CP20, AC9 and saved policies E18 and E19.

In the context of paragraph 134 of the NPPF the public benefits of the proposal that need to be weighed against the harm to the setting of the adjacent listed building, are as follows:

- advancing and testing technology that could deliver renewable energy benefits from waste processing technologies
- advancing and testing technology that could deliver electricity generation
- reduction of waste to landfill during the 18 month testing period (sustainable waste management)
- reduction of carbon emissions

In my opinion and judgement these are significant benefits as they would constitute wider public benefits in the greater understanding of energy generation and waste treatment technologies. These public benefits when balanced against the harm to the heritage assets taking account the short term (18 month) life of this permission even were we to accept in full the conclusions in the Guy Taylor heritage assessment would, in my opinion and judgement, outweigh the less than substantial harm to the significance of the heritage assets in this case.

Therefore, in heritage policy terms I am satisfied that, with regard to heritage considerations and the issue of impact / harm, the application has been properly assessed in line with the local planning authority's statutory duty and the framework of local and national planning policy. In reaching these judgments I have kept in mind the statutory, policy and common law duties set out above.

7.2. Environmental Impacts – Noise, Air Quality and Health

With regard to the effect of noise, the operational activities proposed on site do have the potential to generate significant levels of noise, particularly as it would be operational during the day and night, Monday to Friday. Most of the industrial processes will take place within the building, yet there would be external activities involving delivery and transference of waste material to the front of the building which is generally compliant with an industrial use at an industrial estate. Roller shutter entrances will be open at times for operational reasons. The external plant equipment comprising the air blast coolers would be enclosed by 3m height acoustic fencing which would reduce potential noise leakage. Moreover, the chimney stack itself would not be a source point of noise, as it would be powered by a fan unit situated on the inside of the building.

The accompanying noise impact assessment has been reviewed by Environmental Health officers which identifies the nearest residential dwellings on Alfreton Road as

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being 200metres from the application building. The assessment as revised now concludes that some degree of negative impact could be experienced by those nearest residents at Alfreton Road (Tomlinson's Cottages) in the event that the building roller shutters are open. Essentially this is likely to be on an intermittent basis only when deliveries are undertaken and the overall impact on their amenities is unlikely to be significant. Moreover, the historical use of the site as a concrete batching plant was arguably a noisier operation than that proposed under the current application. It would be reasonable to require a noise management and I note that Environmental Health have advised that a noise management plan to control any potential issues is required under the Environmental Permit regime.

The development includes the installation of 2 air blast cooler units toward the northern side of the building. A number of objectors raise the issue of a potential continuous high pitched '*white noise*' from the cooler units. The noise source levels data indicates a predicted sound level of 64db and that there is no sufficient evidence before me to support concerns of any significant high output at either the high or low frequency ends of the noise spectrum. Bearing in mind the totality of the evidence and specialist advice received, I have reached the conclusion that there is a low likelihood of adverse impact with regard to noise pollution.

With regard to the potential environmental impacts, a substantial number of third party representations raise concern with the effects of pollutants from the emission stack on air quality levels and the wellbeing and health of the local population. It is recognised that the operational combustion process of waste material can result in emissions of a number of pollutants and therefore give rise to air quality impacts. Accordingly, the submitted air quality assessment focusses primarily on the potential air quality associated with the emissions from the stack at the proposed development. Included in this is the contribution of the emissions to produce particulate matter (PM10 and PM2.5) which have been considered in the air quality assessment. The assessment indicates that the impacts on public health would not be significant and the Council's Environmental Health Officer concurs with this statement.

In respect of saved policy E12 'Pollution', the predicted air quality impacts have been assessed by the Environmental Health officer. In assessing the proposal against policy E12, I judge that the scheme would not generate pollutants that would be unacceptably detrimental to the health and amenity of users of the development, users of adjoining land or the environment, given the assessment of all submitted material relating to the application. What is more, the permitted levels of emissions to air would be a matter directly controlled through the Environmental Permit.

The emissions which come out of the stack directly correlates to the following factors: the composition of the waste material going into the 'pyrothermic converter'; the processes of the combustion process and the pollution control measures from the stack itself. All these measures would be regulated through the Environmental Permit. The permit contains all the regulatory components for ensuring that emissions to air from the plant do not compromise air quality. Therefore, it should be noted that the permit regime provides the mechanism for continual regulation and monitoring to ensure compliance with emission limits from the stack. Moreover, the

supposition that the relevant pollution control regime would be properly applied and enforced is a reasonable assumption to make.

It is recognised that whilst the Environmental Permit is responsible for controlling emissions into the atmosphere and detailed monitoring requirements, there are perceived concerns and anxiety about possible health effects arising from the stack emissions, arising from third party objections by residents. In terms of the suitability of the proposed development's location regarding health impacts on the wider community, it should be borne in mind, the site is an existing and well established industrial area with the potential for all manner of industrial uses. In many respects the proposed operational processes would be consistent with an industrial location such as this.

Members will note and I have no reason to dispute the Environmental Health officer's conclusion that the modelling is based on worst-case assumptions and so the true emissions are likely to be lower than those described in the assessment. This is coupled with the fact that the site is only temporary in nature, which is significant in that the health criteria values are generally based on health risks over a lifetime of exposure. Based on the results, emissions from the plant are predicted to have a negligible impact on local air quality and/or human health.

On this issue, I am advised by the Council's Environmental Health officer that there is no sufficient evidence, based on the assessments which have been carried out into impacts on air quality and health, to suggest that the proposal would adversely affect the health of people living in the locality. Therefore, on the basis of the submitted documentation it is considered highly unlikely that the temporary testing facility would give rise to significant or unacceptable health impacts to the local population in the immediate or wider locality. Accordingly, I am satisfied that the proposal would not conflict with saved policies GD5 and E12.

In terms of the separate environmental permit the Council's Environmental Health officer has provided an overview of its contents at this is appended to the report for member's reference. My colleague will also be on hand at the meeting.

7.3. Traffic and Highways Impacts

The layout and position of the application site is such that the development would utilise the existing business park two-way access road off Alfreton Road. The vehicle splays and road geometry of the access road junction with Alfreton Road is entirely suitable for large load Heavy Goods Vehicles.

The level and type of traffic generated by the proposed development would be unlikely to have a substantial effect on the movement of traffic along Alfreton Road, Haslam's Lane or the A61 trunk road, as the delivery regime to the site would essentially be complementary to the existing traffic flows in the area. Within the submitted documents, waste delivery operating hours are stated as Monday – Thursday 08:00 – 20:00 only, with an expectation of 8 deliveries of waste material each day (16 vehicle movements per day).

While there is the possibility of waste delivery vehicles arriving and leaving the site during peak times, the level of traffic generation associated with the proposed development is generally consistent with the permitted industrial use of the site. For

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these reasons, the proposal complies with the relevant Policy CP23 of the newly adopted Local Plan – Part 1 Core Strategy.

7.4. Other Matters

Flood risk

In terms of the consideration of flood risk and the application of the Sequential Test for site selection it is important for members to note that paragraph 104 of the NPPF states...*Applications for minor development and changes of use should not be subject to the Sequential or Exceptions Tests* but should still meet the requirements for site-specific flood risk assessments.* (*This is except for any proposal involving a change of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the Sequential and Exceptions Tests should be applied as appropriate).

The application seeks to change the use of the building for the specific industrial purpose (arguably the proposal sits within the ambit of a B2 General Industrial use but the applicant sought to apply for their specific use) and the associated minor development. In this case, the minor development (as defined in the Planning Practice Guidance (PPG) at paragraph 46) is to house the footprint of 1 diesel generator, 2 air cooler units and building alterations to accommodate the stack. The Environment Agency has made no comments about the Sequential / Exceptions Tests but, as the Courts have recently confirmed, it is for the local planning authority to carry out the Sequential / Exemptions Test exercise, as and when necessary. In this case it is not necessary to carry out the Sequential Test.

The site is shown to lie within flood zone 2/3 and the proposal is classified as a less vulnerable use under the PPG for uses in flood risk areas. In flood risk terms, this represents no increase in vulnerability of the use on the site, since both are an industrial form of operation. The submitted Flood Risk Assessment reported that the drainage provision and finished flood levels have already been set for the building in accordance with a previous planning permission for B2 industrial development, granted in 2012, with the current proposals effectively being for a temporary industrial function. The proposed waste recovery facility would not significantly alter the pattern of occupation or the structural or drainage configuration of this existing building. Thus, the scheme will not materially increase flood risk, in accordance with the intentions of adopted Policy CP2

Ecology

With regard to potential impacts on nearby local wildlife sites in and around the River Derwent corridor, the impacts in terms of potential pollution from the chimney stack on those wildlife sites have been assessed. The predicted emissions at these locations are unlikely to have any long term or short term effects on the ecological value of those sites. No further assessment is needed and any air quality impacts on biodiversity in the vicinity of the site would not be significant in accordance with the requirements of Policy CP19.

The applicant has submitted further documentation, pertaining to an assessment of likely impacts and ecological effects in accordance with CIEEM guidelines (Extended Phase 1 Habitat Survey). The designated sites, habitats and protected species identified by the desk study assessment propagate that no direct impacts, no

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significant air pollution or aquatic run off would occur as result of the development. While Derbyshire Wildlife Trust do not object, they comment that “It is understood that air quality studies following the Environment Agency’s Air Emissions Risk Assessment guidance have determined that predicted air quality impacts on local wildlife habitats will be insignificant. We would point out that air quality issues are outside of our particular field of expertise but air quality issues would be controlled by the environmental permitting process”.

A site of Special Scientific Interest (SSSI) is situated some 2km away from the site. While no assessment has been made of the potential impacts on this particular SSSI, it is not deemed necessary. This is because the SSSI in question is subterranean (below ground). It is located in Boulton Moor (reference 15 WIG) and is designated for its geological historic value, being a glacial and fluvial feature of importance. There would be no air pollution implications as the SSSI itself is below ground.

No.5 Chambers Legal Opinion

The issues raised in Counsel’s opinion from No.5 Chambers submitted by objectors have been addressed, particularly in regards to: securing adequate air quality monitoring, further information and consultation in relation to noise, heritage and ecology matters.

Conclusion

This planning application should be determined in accordance with the development plan unless material considerations indicate otherwise. I have therefore considered whether the application accords with the development plan taken as a whole.

As stated above the proposal complies with both Derby City Local Plan – Part 1 and saved policies from the Local Plan Review, as well as the overarching guidance in the NPPF. Having regard to the NPPF, the public benefits that would be generated by the temporary testing facility are considered to be significant, particularly with regard to the economic and environmental benefits in terms of developing new technology for energy from waste and diverting waste from landfill.

This proposal is for an industrial testing process located in an existing industrial building in an established industrial location. There is no highway or environmental health objections to this use. Externally a 20m high chimney/flue is proposed that would extend some 7.5m above the ridge of the building.

This is an 18 month temporary use proposal and will be conditioned as such.

As stated above, I am satisfied that the application accords with the policies in the development plan with the exception of those relating to heritage assets CP20, AC9, E18 and E19. There will be some harm to heritage assets as described in the report, albeit for a limited period of 18 months. The policies in the development plan are ‘pulling in different directions’ and I have to reach an overall judgment. In doing so I bear in mind that any harm to the significance of a designated heritage asset is to be given considerable importance and weight. I also bear in mind that in this case, that harm to heritage assets is outweighed by other public benefits which are in turn supported by development plan policy. Overall, my judgement is that the application is to be regarded as being in accordance with the development plan as a whole.

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I have also considered whether 'other material considerations' ought to result in a decision other than in accordance with the development plan. I have noted that the NPPF is one such material consideration. In the context of the heritage issue, the proposal is in accordance with the NPPF because the less than substantial harm to the designated heritage asset is outweighed by public benefits and I conclude that the harm to the heritage asset has been clearly and convincingly justified.

The site is within the World Heritage Buffer and there are no objections from the World Heritage panel in relation to such or in terms of the wider impact on heritage assets from the Conservation Area Advisory Committee. After a thorough analysis of the proposal the Council's own Built Environment specialist concludes that the proposal would result in less than substantial harm to the setting of designated heritage assets. This conclusion is based on the application of UNESCO guidance and in accordance with paragraph 134 of the NPPF the necessary balancing exercise has been carried out which weighs up this level of harm with the public benefits of the proposal.

In my opinion and judgement the public benefits are significant and outweigh the harm to the designated heritage assets in this particular case. Finally this is, after all, an 18 month temporary use proposal and can be conditioned as such. In my judgement there are no reasonable planning grounds to resist this temporary use for the reasons given above. A recommendation is therefore given to grant planning permission for a temporary period of 18 months.

Please note that the recommended conditions and reasons listed in parts 8.3 and 8.4 respectively are in an abbreviated format and these will be fully drafted should members resolve to grant permission. The conditions have also been drafted to avoid unnecessary duplication with the conditions in the Environmental Permit.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions.

8.2. Summary of reasons:

In summary, for the reasons given in section 7 of the report, and in weighing up the balance of the merits of the scheme, the proposed development is considered acceptable in terms of its heritage impacts, the impacts on visual amenity and highway safety. There would be no significant adverse environmental effects on public health, air quality arising from emissions from the stack, or on the amenities of nearby residents arising from this temporary use. The development plan, considered as a whole, indicates granting permission subject to conditions, and other material considerations, individually and collectively, do not indicate otherwise.

8.3. Conditions:

1. Condition relating to temporary permission for an 18 month period only.
2. Condition relating to approval of amended plans only.
3. Condition relating to details of the external finish of the chimney stack.

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4. Condition relating to the submission of a gas risk assessment study.
5. Condition relating to the control of hours of HGV deliveries.
6. Condition relating to SRF fuel only.
7. Condition relating to the timing of operational door opening.
8. Condition relating to finished floor levels to be in accordance with the submitted Flood Risk Assessment.
9. Condition relating to the submission of flood risk management plan.
10. Condition relating to details of acoustic fencing around the waste processing compound.
11. Condition relating to the provision of cycle parking.

8.4 Reasons:

1. For the avoidance of doubt.
2. For the avoidance of doubt.
3. To preserve visual and environmental amenities.
4. To preserve general environmental and residential amenities.
5. To preserve general environmental and residential amenities.
6. For the avoidance of doubt and to preserve general environmental and residential amenities
7. To preserve general environmental and residential amenities.
8. To protect the building and its occupants at times of flooding.
9. To protect the building and its occupants at times of flooding.
10. To preserve general environmental and residential amenities.
11. To promote sustainable modes of travel.

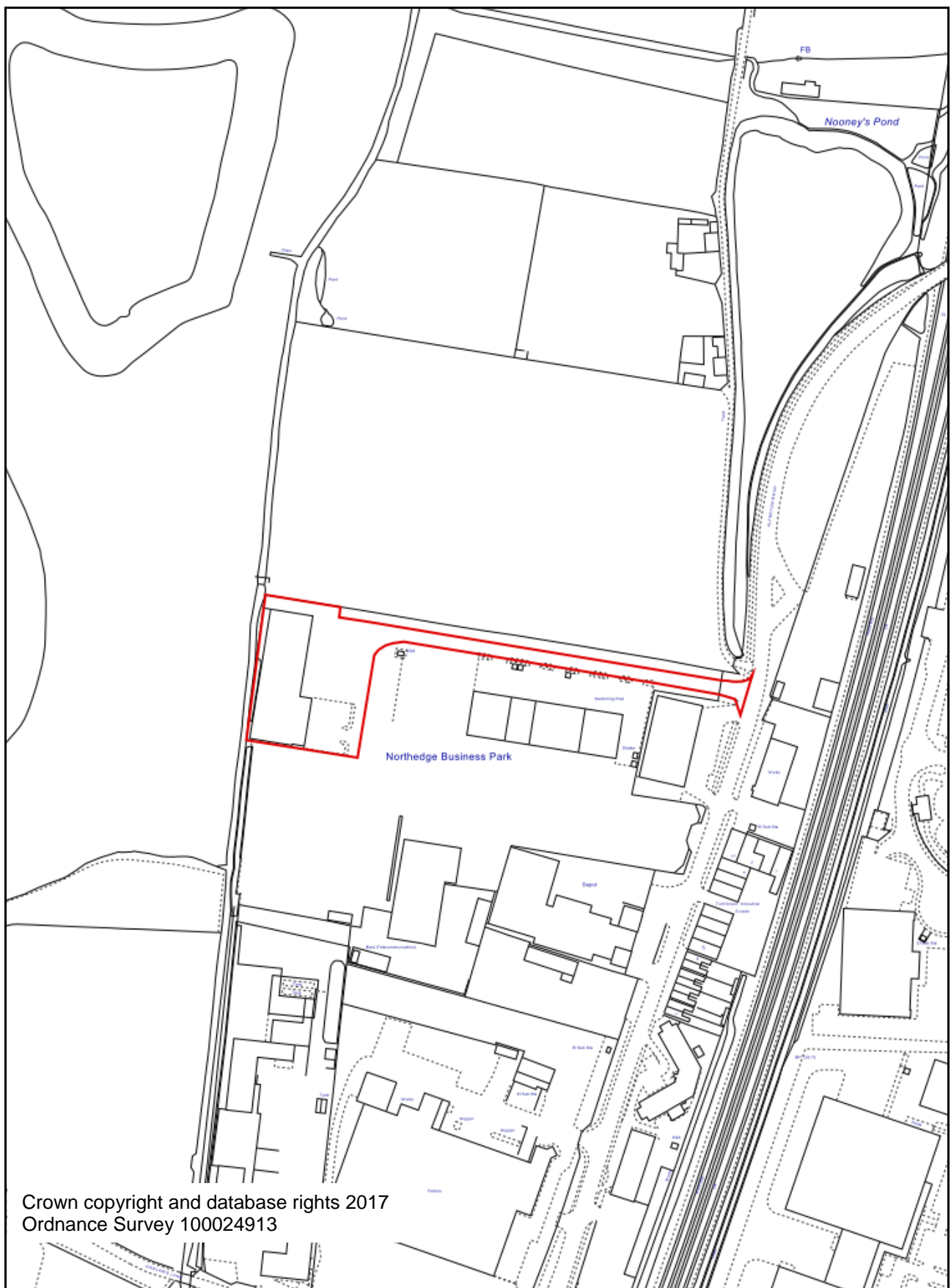
8.5 Application timescale:

An extension of time has been agreed and the application is before committee due to the number of objections.

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Appendix

Environmental Permit Summary

FROM: Environmental Protection Team, Environment and Regulatory Services

PLANNING APPLICATION NO: 10/16/01241

LOCATION: Unit 7, Northedge Business Park, Alfreton Road, Derby

PROPOSAL: Development of facilities to enable the testing of a new technology based on a pyrothermic conversion process utilising RDF for a temporary period of 18 months.

CASE OFFICER: Arran Knight

DATE: 2nd October 2017

I have been asked to provide a summary of the main aspects of the Environmental Permit which has been issued to Envirofusion Ltd of Unit 7, Northedge Business Park, Alfreton Rd, Derby which would regulate the operation of a *Small Waste Incineration Process (SWIP)*.

I understand the main purpose of the summary is to ensure that any planning conditions that might be attached to the planning consent, should permission be granted, avoid duplicating the controls that already exist on the Permit.

I provide a summary as follows:

Environmental Permit Summary

1. The Permit is issued under the Pollution Prevention and Control Act 1999 and the Environmental Permitting (England and Wales) Regulations 2016 for a Small Waste Incineration Plant (SWIP) and associated activities
2. The operations covered by the Permit are restricted to the following (see also Schedule 1, Table S1.1 of the Permit for a description of the Permitted Activities):
 - Receipt, storage and handling of feed material;
 - Thermal Process;
 - Flue Gas Cooling and Treatment;
 - Emissions Monitoring;
 - Management & Control (under an agreed Environmental Management System); and
 - Decommissioning and site reinstatement.
3. The Permit is designed to control emissions to air, land and water. More specifically, the Permit contains a total of 60 detailed conditions designed to control:
 - the type of waste and how the waste is to be handled;
 - pest control (via an approved pest management plan);
 - the incineration process;
 - specified limits on emissions to air;
 - monitoring of emissions to air;
 - emissions to water (no discharges are permitted to either controlled waters or sewers);

- odour (via an approved odour management plan);
- recycling/disposal of residues;
- noise and vibration (via an approved noise and vibration management plan);
- action in the case of breakdown, accidents or incidents; and
- closure and decommissioning procedures.

Specific Conditions/Controls

Waste

4. The Permit only allows the use of Solid Recovered Waste (SRF) which meets CEN 15359:2011 standards.
5. The Permit includes conditions which describe the way in which waste can be stored and the amount of waste the site is able to accept.

Air Emissions

6. The Permit contains a Schedule of emission limits (as measured within the emission stack), which the operator must comply with.
7. The Emission Limit Values (ELVs) for SWIP are prescribed in the European Industrial Emissions Directive and these have been directly transposed into the Permit.
8. Achievement of the ELVs must be demonstrated to the satisfaction of the Regulator before the operation of the incinerator can commence.
9. *Continuous monitoring* throughout the life of the Permit of the following parameters is required under the Permit:
 - temperature in the combustion chamber,
 - oxygen concentration,
 - pressure, temperature and water vapour content of the waste gas from the combustion chamber,
 - emissions of NO_x,
 - emissions of CO,
 - emissions of Particulate matter as PM₁₀,
 - emissions of TOC,
 - emissions of HCl,
 - emissions of SO₂.
10. Further *extractive monitoring* of the following pollutants will also be required at the commissioning stage, at 3 months and at 9 months following commencement of operations:
 - hydrogen fluoride (HF)
 - heavy metals
 - dioxins
 - furans
 - dioxin-like PCBs
 - PAHs

11. As stipulated by the Industrial Emissions Directive, the Permit does allow for a limited number of '*permissible periods of abnormal operations*' to account for technically unavoidable stoppages, disturbances, or failures of the abatement plant or the measurement devices. Such periods are restricted to no more than 4 hours of uninterrupted duration and no more than a cumulative total of 60 hours in the year of operation.
12. There are further conditions which require notification to the Regulator and any action necessary to remedy issues in the event of equipment breakdown, accidents or incidents, as soon as practically possible.

Odour

13. The Permit prevents nuisance from odours beyond the site boundary.
14. The Permit also requires the production of an *odour management plan* to be in place and approved by the Regulator.

Noise

15. The Permit includes a condition which ensures that emissions from the activities are free from noise and vibration at levels likely to cause annoyance outside the site.
16. In the event of complaints about noise, the operator can also be required to produce a *noise and/or vibration management plan* for approval by the Regulator and to be implemented in full.
17. There are no detailed requirements within the Permit relating to specific noise mitigation measures (e.g. keeping doors closed), however, any approved *noise management plan* would need to provide this kind of level of detail and so such measures can be required indirectly under the Permit.

I trust the above suitably outlines the potential cross-overs between the Environmental Permit and assists in the avoidance of duplication of Permitting and Planning requirements.

For further details, I would be happy to discuss any queries or alternatively I would refer you to the Permit itself.

Karl Suschitzky
Senior Environmental Health Officer

Committee Report Item No: 2

Application No: DER/05/17/00698

Type: Full Planning Application

1. Application Details

1.1. Address: Laverstoke Court, Peet Street

1.2. Ward: Abbey

1.3. Proposal:

Change of use from student accommodation (sui generis) to a hostel (sui generis)

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/05/17/00698>

Brief description

Members will recall that this application was deferred at the Planning Control committee meeting on 14 September with a request for additional information to be provided with regard to the intended number of occupants and room space standards, security arrangements for the hostel and management/staffing levels.

The applicant has now provided further documents in response to Member's concerns and proposes to reduce the maximum number of occupants at the site from 240 to 225. It is also proposed to form new ground floor activity space within the site. The proposed operator has also given an undertaking not to increase further the settled Asylum community in Dispersed Accommodation in the city.

The documents submitted include an accommodation assessment undertaken by Derby City Council and a Management & Operations Plan. The room assessment gives details of the accommodation at the site; room sizes and required space standards for residents. The management plan provides detailed information about the intended operation of the hostel; staffing levels, housekeeping and servicing, site security and safety process, moving in procedure and community liaison. Further detail can be found in the Officer Opinion part of this report.

Full permission is sought for a change of use of Laverstoke Court on Peet Street, from student accommodation to a hostel, which are both sui generis residential type uses. The site comprises of nine accommodation blocks which has 180 rooms and was built as student accommodation in the early 1990's. All the blocks are three storeys in height and are served by two access points on Peet Street and Drewry Lane with an on-site car park. The accommodation was previously managed by the University of Derby, although it is currently vacant.

Laverstoke Court is located close to Uttoxeter New Road and close to the city centre, in a residential area which is primarily made up of Victorian terraced housing.

The proposed change of use is to form a hostel, which is intended to house asylum seekers. The maximum number of occupants is proposed to increase from 180 to 225 people. The hostel would be provided on behalf of the Home Office as Initial Accommodation for people who have recently sought asylum and are destitute and have little access to money and accommodation. The people would occupy the hostel for a period of up to 20 days while their claims are assessed. Following this period the occupants would leave the hostel either to be deported or placed in accommodation elsewhere in the country, whilst asylum applications are determined.

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The hostel would be managed by staff on a 24 hour basis. It is intended to be a condition of the accommodation that residents must be in the building by 10 pm.

The supporting Planning Statement states that the proposed hostel is required to provide additional accommodation in the Midlands, Yorkshire and East of England to process asylum seekers. There are existing accommodation centres in Birmingham and Wakefield.

2. Relevant Planning History:

Application No:	11/91/01412	Type:	Full Application
Decision:	Granted Conditionally	Date:	07/02/1992
Description:	Erection of flats for student accommodation		

3. Publicity:

Neighbour Notification Letter – 15 letters

Site Notice

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

The applicant has carried out a public consultation event, in form of a leaflet drop to 3500 local residents and an exhibition with invitation to local residents, which took place on the 17 August 2017 during the course of the application. The submitted Statement of Community Involvement confirms attendance by 61 residents with a 125 written responses.

4. Representations:

A re-consultation of neighbours has been carried out following the submission of the additional documents and any further representations received will be reported orally at the meeting. The application so far has received 43 objections and a petition in objection with 221 signatures. There have also been 9 supporting comments to date. The main objections raised are as follows:

- The building is unsuitable for the form of residential use
- The use would lead to anti-social behaviour and crime in the local area and impact on community cohesion
- Adverse impact on the local community
- Increase in numbers of asylum seekers in the city
- Site is not sufficiently secure for the proposed use
- The use would result in an increase in noise, traffic and overcrowding

The main supporting comments are as follows:

- Good location for the proposed use
- There are people in need of accommodation
- Should be providing accommodation in the community

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5. Consultations:

5.1. Highways Development Control:

The 49 car parking spaces are proposed to remain.

The applicant does not mention any provision of cycle storage within the boundary of the application site.

No significant highway implications, and in view of this, no objections subject to the following condition.

Condition:

No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be located near to the main entrance of the development, be covered and that the area shall not thereafter be used for any other purpose other than the parking of cycles.

5.2. Resources and Housing (HIMO):

Further comments as a result of the re-consultation process will be reported at the meeting.

Original comments

No objections. Ratio of amenities to occupants acceptable.

5.3. Police Liaison Officer:

Further comments as a result of the re-consultation process will be reported at the meeting.

Original comments

Supporting documents reference occupants to be 'fully managed and supported', in receipt of daily subsistence, and in many cases requiring assistance from centre staff with day to day issues like interpretation. Conversely supporting documents require service users to be able to self-care.

In respect of the principle of the application we would adopt a neutral stance.

What is of concern is the apparent lack of evidence of community consultation undertaken by the applicants to date.

They are clearly cognisant of community safety matters, and at point 3.26 of their planning statement acknowledge associated community concerns connected to crime and disorder, with a commitment to full, open and transparent community liaison.

The significant number of objections from local residents bears out this view, many of which might have been reassured with an adequate community consultation event.

Consequently it would be my recommendation that there should be a full and transparent community consultation exercise undertaken as part of the planning application process, rather than unspecific references to liaison with community, voluntary, faith and 3rd sector groups seemingly after any permission has been granted.

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There is currently no clear indication as to staffing levels on the premises at any given time. I understand that this may be subject to future agreement and licences, but should be made clear as part of the planning submission.

The image of the centre at present is somewhat run down and lacking maintenance. Some investment to the grounds and boundaries of the site would be an additional manner of demonstrating commitment to a well-managed establishment to the local community, whilst in tandem providing a more sustainable enclosure.

Specifically the current wooden boundary fencing and gating is in need of repair and would best be replaced with a metal rail/gate similar to the remainder of the site.

This, together with a general condition regarding site upkeep and landscaping in perpetuity would be appropriate to tackle community concerns and the historical problems associated with transient use for this development.

6. Relevant Policies:

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

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

CP1	Presumption in favour of Sustainable Development
CP2	Responding to Climate Change
CP3	Placemaking Principles
CP7	Affordable and Specialist Housing
CP23	Delivering a Sustainable Transport Network

Saved CDLPR Policies

GD5	Amenity
H13	Residential Development – General Criteria
E24	Community Safety
T10	Access for Disabled People

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

http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core%20Strategy_ADOPTED_DEC%202016_V3_WEB.pdf

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

<http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR%202017.pdf>

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

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

7. Officer Opinion:

Key Issues:

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

7.1. Policy Context

7.2. Residential Amenity

7.3. Traffic impacts and Parking

7.1. Policy Context

This application proposes a change of use of the site from student accommodation (sui generis) to a hostel for asylum seeker accommodation which would also be a sui generis use.

The additional documents which have been submitted following the previous committee meeting propose to reduce the maximum number of potential occupants to 225 individuals where the existing student facility comprises approximately 180 rooms. The proposal is for a change in the land use of the site from one form of residential use to another and in planning terms the proposed use as a hostel would be similar to the existing use as student accommodation. Both uses constitute a temporary form of residential accommodation, of a specialist nature. The proposed increase in the number of residents on the site is not strictly a consideration under a change of use application, particularly where there are no changes to the buildings on the site. However, if Members wish to set a maximum limit for numbers of occupants, then this could be achieved by means of a planning condition.

Policy CP7 of the adopted Local Plan – Part 1 relating to Affordable and Specialist Housing supports the provision of residential accommodation to meet specialist needs. The application is supported by a Planning Statement which sets out the requirement for asylum seeker accommodation and the needs of the occupants which are to be met by the proposal.

Both the NPPF and the Adopted Local Plan – Part 1 seek to approve applications for sustainable development and so the sustainability credentials of the proposal are the key consideration in determining the application. The three elements of sustainable development are social, environmental and economic sustainability and these should all be considered as part of the process of determining the application. The proposal needs to meet all three elements in order to be acceptable. In particular policy CP1(a) reflects the Council's policy on the presumption in favour of sustainable development.

Policy CP2 deals with the sustainable location of development and the sustainable construction of buildings. The location of the site is close to the city centre and has reasonable connectivity and good transport links. The Neighbourhood Centre at Rowditch, on Uttoxeter New Road is a reasonable walking distance and offers a

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small selection of local shops and facilities. The city centre is about 600 metres away and is accessible by public transport along Uttoxeter New Road with a bus stop close to the site.

Policy CP3 (Placemaking Principles) seeks a high quality design and good standards of privacy, safety and security in all developments. Proposals should also embrace the principles of sustainable development. There are no proposed substantive external changes to the buildings or site layout. Therefore the impacts of the change of use on the streetscape and the local environment will be minimal. The residential use would need to meet the requirement for a high quality living environment for the occupants, which is also carried through in saved Policies GD5 (Amenity) and Policy H13 (Residential Development – General Criteria) of the adopted City of Derby Local Plan Review (CDLPR).

7.2. Residential Amenity

Both the existing and proposed use of the buildings on the site is of a residential type, which are similar in their character. The existing student accommodation and the proposed hostel use both cater for a transient population, living on site for a short period of time. The existing and proposed accommodation is managed with staff being present on site to provide an element of care and security for the residents. In terms of the type of residential use proposed, the hostel use would appear to be a like for like replacement, due to the comparable operation of the accommodation and short term nature of the occupants.

In terms of the level of accommodation which is provided on the site, there is to be no increase in the number of rooms. The agent has now confirmed that there are four single rooms and two family rooms on each floor of the eight buildings, (with three floors) and there would be no more than 10 individuals occupying each floor. When reflected across the whole site, this then equates to a maximum occupancy of 240 people.

The proposed number of occupants has been reduced to 225 and the applicant now proposes to create a formal social activity space on the ground floor of one of the buildings. A timetable of activities is given in the submitted management plan, which is undertaken at the existing centre in Wakefield.

According to the City Council's accommodation assessment for the site, there is also a communal lounge and kitchen/dining area per floor and bathrooms/showers are proposed to be provided on each floor. The assessment of space standards for bedrooms indicates that those bedrooms on each floor of the building exceed the minimum space required for single and family sized rooms. This information suggests that for the proposed maximum number of occupants, there would be a satisfactory level of accommodation on the site to provide a high quality living environment for the residents, including the provision of social and activity space. It should also be borne in mind that a proportion of the new occupants, would be children with their parents, whereas the building was previously occupied by students in single occupied rooms. The Council's Housing Standards Officer will provide further comments in response to the accommodation assessment, to be reported at the meeting. However, I am also mindful that the previous Housing Standards comments were satisfied with the overall ratio of space provision for the occupants, which implies that there are no

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concerns in relation to potential overcrowding issues as a result of the increase number in residents. The current proposal is for 15 fewer residents than originally indicated, so the accommodation space on the site should still be satisfactory for the intended number of occupants.

In terms of the impacts of the hostel use on the amenities of local residents, saved Policy GD5 sets out that new development should not cause unacceptable harm to the amenities of nearby areas. Saved Policy E24 requires development to provide a safe and secure environment for users of a development and the wider community.

In relation to the proposed management and staff levels at the site, the submitted Management and Operations Plan gives a substantial amount of detail in regards to the intended operation, maintenance and management of the hostel. The hostel is to be staffed permanently, 24 hours a day and when fully occupied there would be 20 staff on site, including managers, housekeepers, maintenance operatives and seven security staff. A minimum of two security staff would be on site at all times. A charity, Migrant Help would also be on site to provide financial support and assistance to the occupants.

The safety and security arrangements for the proposal are set out in the Management and Operations Plan and in addition to the security staff present on the site; the proposal is to install CCTV cameras within the site to monitor the building and entrances. Access to the site would be via an intercom system and a signing in and out arrangement for all residents and visitors. It is also a condition of the accommodation that occupants return to the building by 10pm and absence is not permitted without prior agreement. The Plan gives details of the procedures and requirements which are intended to ensure a safe and secure environment for the occupants and for local residents in the community. It also indicates that there would be penalties for breaches of security.

The main issues raised by third parties in both objections and support comments are related to the effect of the occupation of the site by asylum seekers on the living environment of local residents and on wider community cohesion. There are concerns raised particularly in relation to noise and disturbance, crime and anti-social behaviour arising from the type of residents who would occupy the building. There is clearly a perception amongst local people that the occupants of the hostel are likely to lead to harmful impacts for the existing community.

These concerns are addressed in the submitted Management & Operations information which gives details of the procedures which would be put in place to deal with issues raised by local residents and engagement with the community, by means of public meetings for local residents, with police and fire representatives to attend.

The Planning Statement also points to other sites with existing accommodation of this type in Birmingham and Wakefield, where discussions with local police show that criminal activity has not increased as a result of the hostel being in use. This statement is reiterated in the submitted management plan.

The supporting information confirms that the proposed hostel would be subject to a management regime and permanent staffing on-site and engagement with local police, fire authorities and community groups to deal with any community issues. On the basis that these parameters are implemented by the applicant, then this should

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provide sufficient safeguards to protect the amenities of local residents and maintain community cohesion in the surrounding area.

The Council's Police Liaison Officer in his original comments on the application did not raise any concerns about the principle of the proposed use or in regards to a potential increase in crime or anti-social activity in the local area, but recognised that there is concern in the local community. Some of the additional information provided responds to his comments about community engagement and management of the site and further comments from the Police Liaison Officer will be reported at the meeting.

Provided that the procedures in the Management & Operations Plan are put in place, particularly in relation to security, then it is reasonable to assume that the proposal would not cause undue harm or detriment to the amenities of local community, having regard for the relevant saved Policies GD5 and E24.

A public consultation event has been carried out during the application process, on behalf of the applicant, which has sought to engage with the local community and provide information and assurance about the nature and operation of the proposed use. This generated a substantial response to the applicant from residents, which is comparable with the comments made to the application process. This information has been submitted in support of the application.

On balance, the impacts on residents amenity and community safety arising from the hostel use would not in my view be more harmful than the permitted use of the site for student accommodation and accordingly the proposal meets the requirements of both saved Policies GD5 and E24 in the City of Derby Local Plan Review (CDLPR).

7.3. Traffic Impacts and Parking

There is an existing car park and access road within the site, which served the previous student accommodation and has 49 car parking spaces. There are no plans to alter the parking and access arrangement for the proposed hostel use, although it is intended that only members of staff on site would use the car park. Since the occupants of the hostel would not have access to a car, there would be a lower traffic generation resulting from the proposed use. Having regard for the absence of car ownership by the intended occupants, there are unlikely to be any undue traffic impacts on the local road network. The highways impacts on the local road network are therefore likely to be much reduced from the occupation by students, who are generally more likely to have a car. It is noted that the Highways Officer has not raised any concerns in regard to the traffic or highway safety implications of the proposed use and is only seeking additional cycle parking to be provided on the site. This can be appropriately provided via a suitable condition.

The site is located in a highly accessible location in the city, close to the city centre and in proximity to bus and cycle routes on Uttoxeter New Road. There are pedestrian entrances to the site on both Peet Street and Drewry Lane frontages. The site allows for occupants to walk, cycle and use public transport to the city centre and other local facilities. The proposal is therefore considered to be in a sustainable location, which meets the requirements of Local Plan – Part 1 transport Policy CP23.

Conclusion

When taking into account the previous use of the site as student accommodation, which is likely to have generated comparable impacts on amenity, in respect to noise, general disturbance and any other anti-social activity, the proposed use of the site for asylum seekers would not, in my opinion and judgement, result in significantly more harmful impacts on the amenities of local residents than the permitted use. Whilst there are recognised to be concerns among local residents about the types of occupants to be housed in the proposed hostel, the fact that they may be asylum seekers is not in itself a material planning consideration, which can be used to determine this application. The proposed increase in the potential number of occupants by 45 individuals is not considered to be a significant rise and has been assessed against the accommodation space available to be acceptable in terms of the intended living environment.

Overall, the proposed use would constitute a 'sustainable form of development' as defined by the NPPF and provide for a satisfactory living environment for the occupants of the hostel and not result in unacceptable harm to the amenities of the local community. The change in the type of residential use on the site from student flats to a short stay hostel is considered to accord with the relevant Derby City Local Plan - Part 1 Policies CP1a), CP2, CP3 and CP7 (Affordable and Specialist Housing) and with the amenity and community safety requirements in saved policies GD5, E24 and H13 of the adopted City of Derby Local Plan Review.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions.

8.2. Summary of reasons:

The proposed sui generis hostel use is an appropriate form of residential use in this sustainable and accessible location, close to the city centre. It is acceptable in terms of impacts on highway safety and residential amenity and the proposed form of residential use would not result in significant harm to community safety or social cohesion in the local area.

8.3. Conditions:

1. Standard condition (3 year time limit)
2. Standard condition (specified approved plans)
3. Provision for cycle storage to be made on site in accordance with details to be agreed and implemented.
4. Details of a scheme of security measures and any boundary treatment on the site to be agreed and implemented.
5. To restrict the number of occupants to no more than 225.

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8.4. Reasons:

1. In accordance with relevant Town and Country Legislation.
2. For the avoidance of doubt.
3. To promote cycling and sustainable forms of transport
4. In interests of protecting community safety and residential amenity
5. In interests of providing a high quality living environment and safeguarding residential amenity.

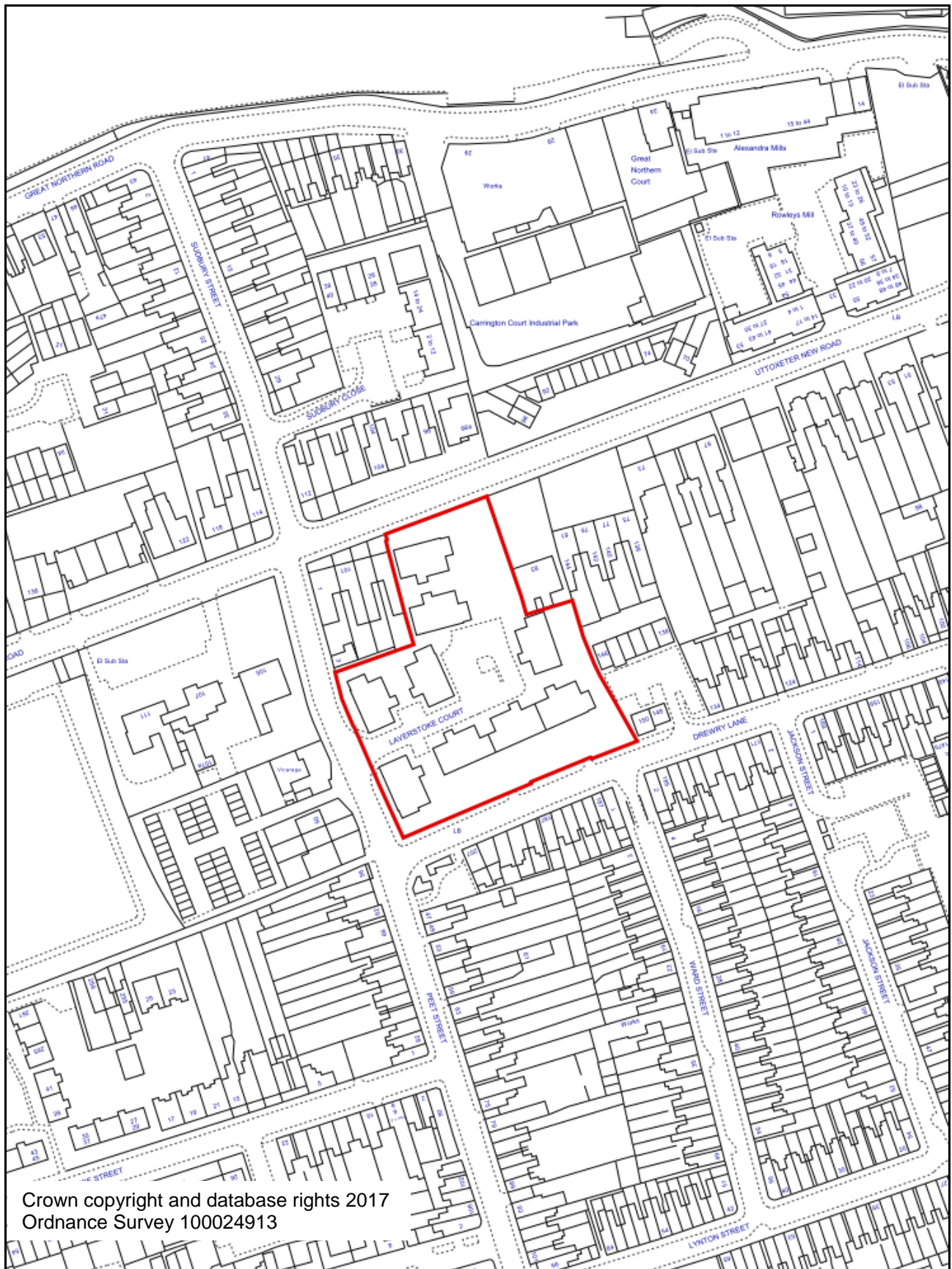
8.5. Application timescale:

The target date for determination expired on the 2 August and an extension of time has been agreed.

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Committee Report Item No: 3

Application No: DER/06/17/00795

Type: Full Planning Application

1. Application Details

1.1. Address: 1 Church Lane, Darley Abbey

1.2. Ward: Darley

1.3. Proposal:

Demolition of existing bungalow and garage and erection of new building comprising 6 apartments including associated access and parking.

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/06/17/00795>

Brief description

Full planning permission is sought to redevelop this site to accommodate 6 apartments, within a single building, with associated access and parking. The site is located in a residential area and it currently accommodates a bungalow and detached garage. The site covers an area of approximately 734 sqm and it is located at the western end of North Avenue – albeit the address of the site is 1 Church Lane. This anomaly is a result of previous highway re-configuration works in the area. All existing buildings would be demolished together with the clearance of vegetation and domestic paraphernalia within the curtilage to accommodate the proposal.

The proposal involves the erection of a single building with residential accommodation provided over 3 floors. The proposed layout of the building includes an angled ‘winged’ footprint with a centralised stair/lift core separating the components of residential accommodation. The proposed apartment layout would be replicated over the 3 floors with 2 apartments provided on each floor. The individual apartments would accommodate 2 bedrooms, served by an en-suite and shower room, with a combined kitchen, dining and living area.

In terms of the scale of the proposed building the second floor accommodation would sit within the eaves of the building and dormer windows and roof lights are incorporated to serve the apartments at that level. As part of the overall design rationale for the proposal the architect has supplied a topographical survey to demonstrate how the scale of the proposal would relate to the surrounding built form. The Church Lane carriageway sits approximately 3m above existing site ground level and the 2 storey neighbour on the opposing side at 3 Church Lane sits on a higher ground level. The topographical survey also includes the existing roof ridge heights for 3 Church Lane and the adjoining neighbour at 1 North Avenue for comparison.

The proposed architectural style of the building includes the centralised entrance stair/lift core with projecting hipped roof wings over 3 floors situated on either side. The proposed eaves height would essentially step down on both ends of the building and dormer windows are included. The proposed front elevation to North Avenue/ Church Lane accommodates a consistent arrangement of windows and the proposed roof profile includes a predominance of hipped roofs. The proposed materials would be a mix of brickwork and render and precise details of these materials would be addressed by condition.

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The proposed layout of the site includes a repositioned vehicle access onto North Avenue adjacent to the boundary with the neighbour at 1 North Avenue. The rear of the site would accommodate a communal parking area for 6 vehicles, including a designated space for a disabled person's vehicle, together with a single visitor's parking space. A secure area for bins and cycle parking is allocated adjacent to the side, north facing, elevation of the building and that area is currently the position of the existing vehicle access – which would be re-instated as part of the scheme. Peripheral landscaping is illustrated for the northern and eastern site boundaries and the proposed front garden threshold would be enclosed by a dwarf wall with railings.

Members should note that revisions have been received during the life of the application in relation to the precise design of the proposed vehicle access. This revised design has been agreed in conjunction with the City Council's Highways Development Control Team. The architect has also amended the position of the rear elevation bedroom room window at all levels on the northernmost wing of the building.

The amendments have been re-publicised and can be viewed in full by following the web-link at the start of this report.

At the July meeting members elected to complete a site visit to assess the application site in its context. This meeting is scheduled for the week commencing 2 October.

2. Relevant Planning History:

There is no relevant planning history for this site.

3. Publicity:

Neighbour Notification Letters

Site Notice

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

4. Representations:

70 representations have been received to date, 69 in objection to the proposal.

These objections fall into three main categories:

1. The impact on the wider historic character of Darley Abbey, the conservation area and the World Heritage Site.
2. The inappropriate and overbearing design which is out of keeping with dwellings in the vicinity.
3. The inadequate parking provision provided by the development and the impact this will have on an area which already suffers from parking problems.

Specifically these objections include:

- Impact of traffic on the junction of Church Lane and South Avenue

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- Impact on the privacy of the residents of 1 North Avenue caused by overbearing development at back of property
 - Loss of view caused by the height of the building
 - Scale of development is out of keeping with the existing properties
 - Insufficient parking provision for the number of units
 - Increase in parking and congestion on North Avenue
 - Form of the building is out of keeping with the style of other properties in the village
 - There is no need for six more apartments in Darley Abbey
 - The developers have made little effort to consult the local community
 - The building will be an eyesore so close to the public highway
 - No amenity space for residents of new development
 - Proximity of access to No.1 North Avenue will impact upon amenity of residents
 - The increase in vehicles will lead to greater pollution and noise for residents
 - No regard has been given to the protect sensitivity of the Darley Abbey World Heritage Buffer Zone.
 - The proposed building will transgress an historic building line on North Avenue
 - This proposal will add to the number of vehicle movements on North Avenue/Church Lane and this is already congested with school traffic and lorries accessing the farm
 - The development will set a precedent for ongoing and creeping development in Darley Abbey
 - Parking and access provision does not take account of visitors or emergency vehicles
 - The council is in denial regarding the level of traffic and anti-social behaviour which is destroying the village atmosphere
 - There is a gross disparity in the ridge line of the proposed building and the existing dwellings on North Avenue
 - It is not proven that the existing bungalow is beyond economic repair
 - The proposed materials for the new building different from those found in the adjacent area
 - The architectural style is dramatically different from the largely interwar domestic housing and will look incongruous.
 - The outlook of the rear garden at 1 North Avenue will be hemmed in on two sides

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- A smaller development of perhaps two modern mews type dwellings would be more appropriate in this location
 - New apartments would suffer from traffic noise from the A6 and the A38
 - Why is a London based company interested in the site
 - School traffic currently blights the area
 - People have paid a premium to live in this area and be in the catchment for the best school
 - Planning permission should only be granted for a replacement bungalow
 - The World Heritage Buffer is designed to protect the village from over-zealous and ambitious development
 - Comparing the proposed apartments to Birchover Apartments on the A6 is not appropriate as this building is not in a dip and overlooking other properties
 - What is happening to the green belt in this area
 - The development would potentially generate households with different lifestyles to the existing village community
 - The turning head at the end of the road will become unusable for refuse vehicles due to people parking there.
 - Darley Abbey should be protected from these sort of developers
 - The drainage system for this area dates from the 1930's and the capacity is not sufficient to cope with the additional demand
 - Increase in surface water run-off caused by the amount of hard surfacing
 - Proposal is designed for maximum financial gain of developers.
 - The development looks more like an office block than residential accommodation
 - The proposal will transform an idyllic 1920's bungalow into a hideous monolith of brick and glass
 - Beautiful family homes will be overlooked and overshadowed.
 - The proposal makes a mockery of the World Heritage Designation.

Ward councillors Repton and Stanton have also raised objections to the application.

Councillor Repton concludes:

...If granted this site would go from one containing a charming 1920/30's bungalow to a multi occupied, multi storied, unattractive complex with parking for seven! All this in an attractive village location next to a conservation area and in a world heritage buffer zone. In addition to all this the additional parking and vehicle movements would add additional pressures, dangers and problems to this narrow village lane from which this development would be accessed.

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Councillor Stanton concludes:

...The elevation of property is 3 stories and taller than adjacent properties (this will mean it dominates the skyline). The plans to have 6 dwellings introduces a higher density than that currently in the area. There is insufficient consideration of the provision of parking as there is only one space per dwelling which is less than prescribed in our planning policy and fewer still than is practical for an area on a tight bend with little or no on-street capacity. The property will be in stark contrast to the all the properties in the WH site buffer zone and will set dangerous precedents for future applications. Whilst I support the sympathetic development of the area, I have serious reservations regarding these specific plans.

In response to these representations the agent has addressed various issues and provided responses. In conclusion the agent states... *we believe we have addressed the main concerns of the objections lodged. After taking the time to read every response and consider and respond to all of the main concerns, and co-operating with both the Derby City Council and various consultants over this application, we consider that there are no substantive outstanding issues which will prevent this development from going ahead.*

This document dated 13 July 2017 can be viewed in full by following the web-link at the start of this report.

5. Consultations:

5.1. Highways Development Control:

Following the highway observations of 28 June 2017; the applicant's agent has submitted a revised plan "2301-02 Rev E" which shows a slightly revised access configuration.

The access configuration has been altered to show visibility splays of 2mx2m to the right on egress, and 2mx1m to the left on egress, as well as a clearly defined access point detailed to show the required access width.

These are satisfactory to the Highway Authority as volumes of pedestrian traffic will be low along the footway and the drivers of emerging vehicles are likely to be more central to the access and will therefore be afforded acceptable levels of visibility.

I note also that the plans recognise that the BT pole and lamp column are likely to need relocation (at cost to the development).

The revised access arrangement complies with the Highway Authority requirement that the access be constructed with a minimum width of 4.8m for a distance of 5.0m back from the highway boundary.

As previously commented, it is the view of it is the view of the Highway Authority that due to the low traffic speeds and low volume of traffic at the west end of North Avenue, that satisfactory visibility can be achieved.

In respect of trip generation; it is unlikely that any more than 4 vehicles would gain access/egress at peak periods; this would not have a severe impact upon the adjacent highway network.

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Recommendation:

If minded to approve the application, it is recommended that the Local Planning Authority include conditions which can be viewed in full by following the web-link at the start of this report.

5.2. Natural Environment (Tree Officer):

My colleagues comments are as follows:

...In principle I have no objection to the proposal. Trees on the site are not visually significant. However to comply with guidance in BS5837: 2012 a tree survey and suite of supporting documents should be provided to assist in the final design and ensure that the proposed building has a have a suitable juxtaposition with trees adjacent to the site.

In his consultation response my colleague also details the required content for a Tree Survey, an Arboricultural Impact Assessment and a Tree Protection plan and these can be viewed in full by following the web-link at the start of this report.

The agent has supplemented the application with an Arboricultural Report and Method Statement dated August 2017 and any further comments in response to this submission will be reported orally at the meeting.

5.3. Derbyshire Wildlife Trust (DWT):

DWT provide the following conclusions in response to the submitted ecological appraisal:

...It is considered that sufficient ecological survey work has been undertaken in support of this planning application for it to be determined. If the Council are minded to grant planning permission for the proposed development it is recommended that the advice/recommendations provided within the ecological survey report is followed.

Conditions are also recommended by DWT and these can be viewed in full by following the web-link at the start of this report.

5.4. Derwent Valley Mills World Heritage Site Conservation and Planning Panel:

The full comments of the Panel in response to this application are as follows:

...The proposed development lies within the Buffer Zone of 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”;

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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.

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 have received the following advice.

The application site is within the Buffer Zone of the Derwent Valley Mills World Heritage Site, close to the World Heritage Site itself. The site lies outside the Darley Abbey Conservation Area, the setting of which could be a material consideration. At this location, the World Heritage Site includes the River Derwent and its floodplain, with the Buffer Zone comprising the slopes of the river bank, undeveloped in part, or with the narrow strip of inter-war housing, on either side of Church Lane.

The proposed development comprises the demolition of an arts and crafts style bungalow, dating from the 1930s, located within a relatively small residential development, mostly comprising bungalows, but with a small percentage of the two-storey houses of the same period and later. The presence of the proposed three storey flats is unprecedented. However, the development’s potential impact on Church Lane and Duffield Road is reduced to a degree by the site being set down below the adjacent public realms, although the additional storey will have an impact on the dwellings of North Avenue itself.

Given its location in the Buffer Zone, the Local Planning Authority should be satisfied that the design contributes to the creation of a high quality built environment in terms of it meeting the three dimensions of sustainable development, as required by the NPPF. The design uses an unremarkable palette of elements, entirely in brick, in contrast to the more varied materials of the adjacent bungalows and houses.

Subject to the development being to a high quality, the Outstanding Universal Value of the World Heritage Site should not be harmed through any adverse impact on its setting, as an attribute of its significance.

6. Relevant Policies:

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

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

CP3	Placemaking Principles
CP4	Character & Context
CP16	Green Infrastructure
CP19	Biodiversity
AC9	Derwent Valley Mills World Heritage Site
CP20	Historic Environment
CP23	Delivering a Sustainable Transport Network

Saved CDLPR Policies

GD5	Amenity
H13	Residential Development – General Criteria
E18	Conservation Areas

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

http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core%20Strategy_ADOPTED_DEC%202016_V3_WEB.pdf

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

<http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR%202017.pdf>

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

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

7. Officer Opinion:

Key Issues:

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

7.1. Principle of re-development

7.2. Design and context

7.3. Highways impact

7.4. Environmental considerations

7.1. Principle of re-development

The application seeks full planning permission to re-develop a residential site that is located in an established residential area. Members will be aware of the need to significantly boost the supply of housing in line with central government advice. The use of previously developed sustainable sites such as this is strategically preferable to green field incursions. The application is, therefore, an acceptable form of development, in principle. It is line with the over-arching guidance in the NPPF and the concept of sustainable development which runs through it and also the DCLP Part 1: Core Strategy. In particular, the proposal would be in accordance with policy CP3 (a) of the DCLP which promotes the 'efficient use of land by optimising development densities'.

7.2. Design and context

The proposal involves the demolition of a modest scale residential bungalow, its detached garage and associated garden layout. The existing dwelling sits fairly centrally within the site almost perpendicular to the neighbour at 1 North Avenue. The proposed development involves the demolition of all existing components and the erection of a single building over three floors to accommodate 6 self-contained apartments. The proposed building accommodates an angled 'winged' footprint and it would present itself to North Avenue as it turns through nearly 90° at its western end. The proposed building would stand approximately 10m in height from ground level and the topographical site plan shows how the development would relate to nearby properties and the nature of differing ground levels in the immediate area.

As members are aware the consideration of design does not just relate to the 'style' of the proposal but all facets of design need to be assessed. These include the layout of the proposal together with the scale, mass and height of the proposal and how this all responds to its context.

The relationship of the proposal to adjacent neighbours is also an important material consideration. The 'amenity impact' of the proposal, in terms of the massing impact and any overlooking issues from the development, are important and, amongst others, this issue has aroused strong objections from neighbours and interested parties.

Layout

Unlike the existing detached bungalow which sits fairly centrally within the site, the proposed layout would address the site frontage as North Avenue sweeps into the

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vehicle turning head and to the farm access that wraps around the northern site boundary. In my opinion this would provide a visually strong form of development that would effectively 'turn the corner' at the end of the street-scene. The proposed layout of the building is winged and is designed as such so it would be appreciated as 2 component parts. In my opinion, this also effectively breaks up the mass of the proposal. In accordance with policy CP3 (g) of the DCLP this is a positive response to site orientation at the end of the North Avenue street-scene. Angled views of the proposal would also be achieved from the south-west on Church Lane and I am satisfied the proposal would add visual interest from that perspective. Glimpse views of the proposal would also be achieved from the north off Duffield Road although the intervening tree screen is fairly substantial. (It is also important to note that Duffield Road is set at an appreciably higher level than North Avenue). I am also satisfied that the relationship of the component to 1 North Avenue is acceptable in street-scene layout terms.

Scale / Mass / Height

As discussed above, the proposed layout of the development assists in fragmenting the mass of the proposal. In comparison with the existing dwelling the proposal would constitute a sizeable form of development in terms of its increased scale and height. It is, however, important to appreciate the characteristics of the immediate area and the application is informed by topographical details and street-scene sections that also illustrate the comparable heights of 1 North Avenue and 3 Church Lane. The highest part of the proposed development would stand approximately 2.44m higher than the ridge level of 1 North Avenue and the proposal would stand approximately 0.27m higher than 3 Church Lane, which sits on higher ground relative to the site. Church Lane sits approximately 3m higher than the site ground level and when viewed from that perspective the proposal would not, in my opinion, appear visually over bearing. The objectors' voice particular concerns about the scale of the proposal but, in its context, I consider that the design elements and site characteristics combine to achieve an acceptable form of development in terms of its overall scale, mass and height. Therefore, for these reasons, I consider that the proposal is in accordance with policies CP3 and CP4 of the DCLP and saved policy H13 of the CDLPR.

Style

The proposal would provide a contemporary form of development with traditional elements in the form of hipped roofs and dormer windows. The proposed central stair/lift corner would provide a strong vertical element and this also gives the development a certain degree of symmetry – albeit the northern wing of the building is around 1.5m greater in breadth than the opposing wing. The proposed front elevations also include a strong vertical emphasis in the arrangement of windows. The main habitable accommodation across the 3 floors would overlook North Avenue and this is useful for natural surveillance of the street-scene. The proposed rear elevations would include outlook for bedrooms, en-suites and shower rooms and I am satisfied that this would provide reasonable levels of privacy for future residents and would overlook the private parking area. There have been other recent infill redevelopments on North Avenue and, at this end of the street-scene, the proposed palette of materials of red brick and render is a reasonable proposition.

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Amenity Impact

In this case the most affected neighbouring properties are, in my opinion, 1 North Avenue and 3 Church Lane. Although the proposed development would be closer to 3 Church Lane than the existing dwelling and the proposal would be larger in scale, a distance of approximately 17m would exist across the public highway between the proposal and 3 Church Lane. Given the nature of the street-scene, I am satisfied with that relationship in overlooking and amenity terms. The amenity impacts on 3 Church Lane also include the general disturbance associated with the intensification of the site in terms pedestrian and vehicular activity. In respect of trip generation it is unlikely that any more than 4 vehicles would gain access/egress at peak periods and this would not have a severe impact upon the adjacent highway network. I also consider that such light traffic usage would not be unduly harmful in terms of general disturbance.

In relation to 1 North Avenue the amenity impacts include the layout of the proposal in terms of its scale and mass, overlooking from the rear elevation and general disturbance associated with the intensification of the site in terms pedestrian and vehicular activity. Although the proposed vehicle access would be repositioned to adjoin the western boundary of 1 North Avenue this type of relationship is not uncommon in a residential setting and, while it would serve 6 dwellings, the light traffic impact would not be unduly harmful so as to warrant refusal on these grounds, in my opinion. The proposed development would not include any windows on the side east elevation and the proposed rear elevation windows on the rear elevation would offer some views across the rear garden of 1 North Avenue. However, the nearest part of the proposed development would, in my opinion, enjoy a conventional relationship in overlooking terms and the northern wing of the building would be angled at a minimum of approximately 16.8m from the boundary with 1 North Avenue. This relationship is not, in my opinion, unreasonable and, although there may be a perception of overlooking from the development for neighbours at 1 North Avenue, I also consider that this would not be sufficient to warrant refusal of the application on these grounds. Therefore, in my opinion, the proposal is reasonable on amenity grounds and in accordance with saved policy GD5 of the CDLPR.

Wider Context

The application site is situated within the Buffer Zone of the Derwent Valley Mills World Heritage Site, close to the World Heritage Site itself. As such, policy AC9 of the DCLP is relevant. At this location, the World Heritage Site includes the River Derwent and its floodplain, with the Buffer Zone comprising the slopes of the river bank, undeveloped in part, or with the narrow strip of inter-war housing, on either side of Church Lane.

The Derwent Valley Mills World Heritage Site Conservation & Planning Panel state that...*given its location in the Buffer Zone, the Local Planning Authority should be satisfied that the design contributes to the creation of a high quality built environment in terms of it meeting the three dimensions of sustainable development, as required by the NPPF. The design uses an unremarkable palette of elements, entirely in brick, in contrast to the more varied materials of the adjacent bungalows and houses.*

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Subject to the development being to a high quality, the Outstanding Universal Value of the World Heritage Site should not be harmed through any adverse impact on its setting, as an attribute of its significance.

The site lies outside the Darley Abbey Conservation Area and the nearest part of the Conservation Area boundary is just below 400m from the application site. There is no impact on the Conservation Area's setting as it is so far away and the land levels and vegetation mean that there is no direct visibility with it. Views to the site from the Derwent Valley footpaths would see St Matthew's Church (within the Conservation Area) and the initial land level rise of North Avenue (not in the Conservation Area) but due to a dip in land levels beyond the side of the valley the development is not to be seen from these views. Therefore, as the site lies outside of the Conservation Area section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 is not engaged and, as there is no harm to its setting, saved policy E18 of the CDLPR is also not engaged in the decision making process.

7.3. Highways Impact

My colleague in Highways Development Control has negotiated the amended access design and there are no over-riding objections to the proposal on highways grounds, subject to conditions. The proposed development would generate a low level of vehicular traffic at peak times and the proposal is in accordance with policy CP23 of the DCLP. The on-site layout would also provide visitor and disabled people's parking. The proposed layout includes provision for secure on-site cycle parking and the site is well located on a bus route to offer future residents choice in travel modes.

7.4. Environmental considerations

This proposal involves the demolition of all existing buildings on-site and to address the potential issue of protected species on-site ecological survey work has been completed. DWT has considered the supporting information and state...*it is considered that sufficient ecological survey work has been undertaken in support of this planning application for it to be determined. If the Council are minded to grant planning permission for the proposed development it is recommended that the advice/recommendations provided within the ecological survey report is followed. This should be secured through the use of conditions as follows.* Based on this specialist advice I am satisfied that the proposal accords with policy CP19 of the DCLP.

In terms of the tree stock surrounding this site my colleague states... *in principle I have no objection to the proposal. Trees on the site are not visually significant. However to comply with guidance in BS5837: 2012 a tree survey and suite of supporting documents should be provided to assist in the final design and ensure that the proposed building has a have a suitable juxtaposition with trees adjacent to the site.*

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Conclusions

As the DVMWHS Conservation and Planning Panel state in its consultation response...*the Local Planning Authority should be satisfied that the design contributes to the creation of a high quality built environment in terms of it meeting the three dimensions of sustainable development, as required by the NPPF.*

These relate to economic, social and environmental considerations and, in this case, I am satisfied that the proposal reasonably meets these dimensions of sustainability. The proposed development would provide free market residential accommodation on a sustainable site. The proposal seeks to intensify the use of the site and, whilst I acknowledge the large number of objections to the application, this intensification is accommodated, in my opinion, within an acceptable design solution that responds to its context.

The architect has considered the unique characteristics of the site and has addressed land levels, existing building heights and layout opportunities in devising the scheme. There are no over-riding environmental constraints in this case and, subject to safeguarding conditions, specialist consultees at DWT and within the Council are satisfied with the application. There are no over-riding objections to the proposal from the DVWWHS Conservation and Planning Panel and no perceived harm to the setting of the World Heritage Site. In this regard the proposal is in accordance with policy AC9 of the DCLP and precise details of external materials will be secured by condition.

The architect has positively responded to the requirements of my highways colleagues and the amended access solution would accommodate the low levels of vehicular traffic to the site.

The application has attracted a large number of objections and these are comprehensively listed in this report. However, as members have been previously advised by legal counsel, planning is...*not a beauty contest*. Decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In this case the plan is up-to-date and in line with the concept of sustainable development that runs through the NPPF. The proposal accords with the development plan as a whole and, in my opinion and judgement, there are no sound or defensible planning reasons for refusing planning permission.

I, therefore, recommend that permission is granted with a reasonable range of conditions. The conditions and reasons listed below are abbreviated for the purposes of this report and will be precisely drafted and referenced to policies should permission be granted.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions.

8.2. Summary of reasons:

In the opinion of the local planning authority the proposal is an acceptable form of development in this established residential area. The proposal is acceptable in terms

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of its layout, scale, mass, architectural style and access component. The architect has considered the unique characteristics of the site and has addressed land levels, existing building heights and layout opportunities in devising the scheme. The agent has resolved issues pertaining to the design of the proposed vehicle access and, subject to certain safeguarding conditions; consultees have raised no over-riding objections to the application. The application has generated a large volume of objections and these have been comprehensively listed in the committee report. The application has been considered on its merits and in accordance with the development plan as a whole. In the opinion of the local planning authority there are no decisive planning policy reasons to resist granting planning permission for this proposal.

8.3. Conditions:

1. Condition relating to the statutory time limit for implementation.
2. Condition relating to the approved plans and supporting documents.
3. Condition relating to the timing of vegetation removal.
4. Condition relating to the agreement and implementation of additional protected species work prior to the commencement of development.
5. Condition relating to the agreement and implementation of an ecological enhancement strategy and site landscaping plan prior to the commencement of development.
6. Condition relating to the agreement and implementation of a lighting strategy prior to the occupation of development.
7. Condition relating to the agreement and implementation of a palette of external materials prior to the commencement of development.
8. Condition relating to the agreement and implementation of pedestrian visibility splays for the proposed vehicle access prior to the occupation of development.
9. Condition relating to the agreement and implementation of a dropped and tapered kerb vehicle access prior to the occupation of development.
10. Condition relating to the re-instatement of the redundant vehicle access prior to the occupation of development.
11. Condition relating to the agreement and implementation of the vehicle access construction and surfacing details prior to the commencement of development.
12. Condition relating to the agreement and implementation of on-site cycle parking provision prior to the commencement of development.
13. Condition relating to the agreement and implementation of an Arboricultural Impact Assessment prior to the commencement of development.
14. Condition relating to the agreement and implementation of a Tree Protection Plan prior to the commencement of development.
15. Condition relating to the agreement and implementation of an Arboricultural Method Statement prior to the commencement of development.

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8.4. Reasons:

1. Statutory reason for time limit
2. For the avoidance of doubt.
3. To safeguard biodiversity and bird nesting timeframe.
4. To safeguard protected species.
5. To improve biodiversity and for a satisfactory overall development of the site.
6. To safeguard protected species.
7. In the interests of overall design quality.
8. In the interests of general safety on the public highway.
9. In the interests of general safety on the public highway.
10. In the interests of general safety on the public highway.
11. In the interests of general safety on the public highway.
12. To provide for sustainable modes of travel.
13. To safeguard and protect the tree stock surrounding this site.
14. To safeguard and protect the tree stock surrounding this site.
15. To safeguard and protect the tree stock surrounding this site.

8.5. Informative Notes:

Relating to associated considerations under the Highways Act.

8.6. S106 requirements where appropriate:

None.

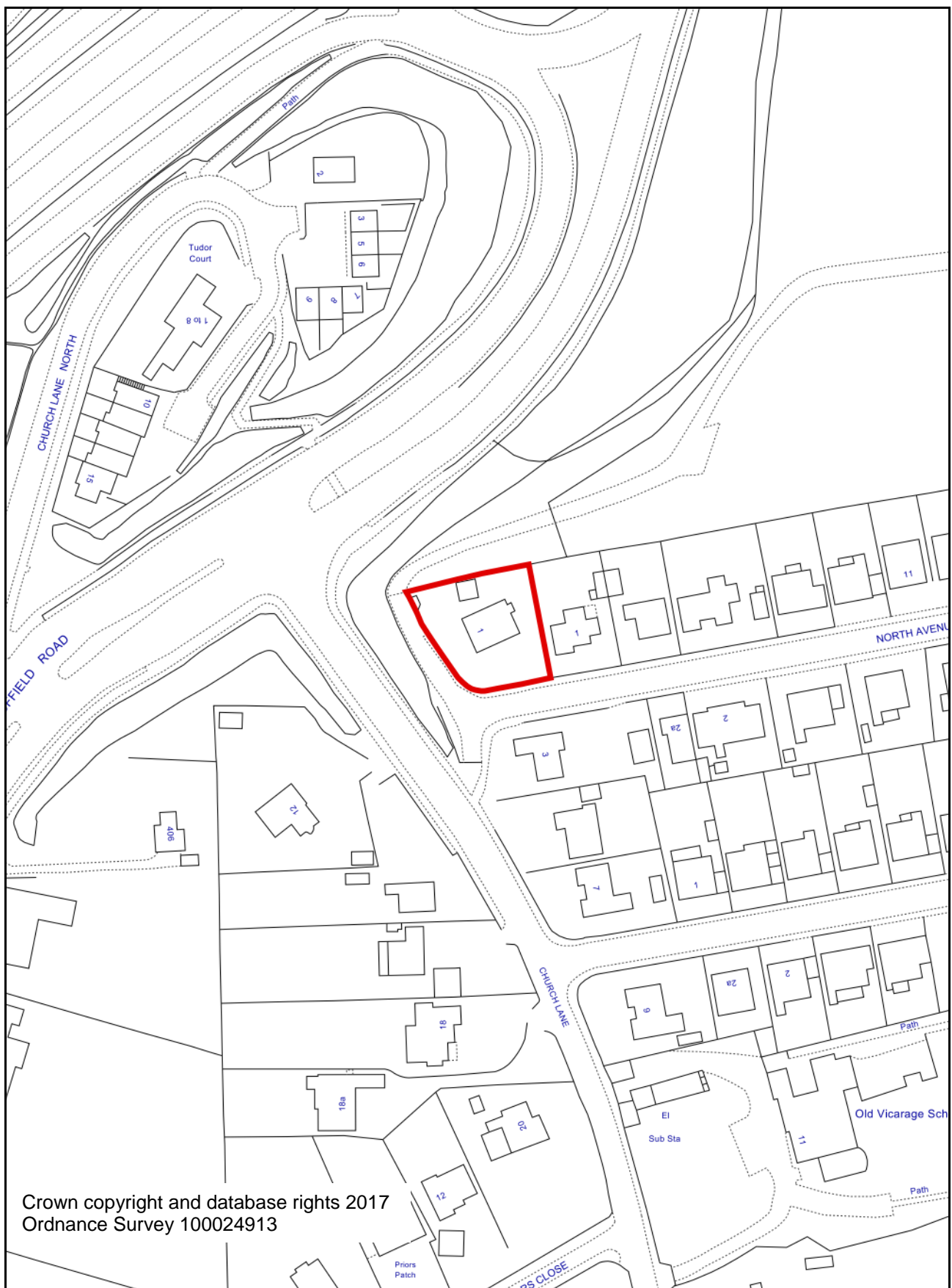
8.7. Application timescale:

The time period for determination of the application has been extended and agreed with the applicant to accommodate the committee timeframe.

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Type: Full Planning Application



Committee Report Item No: 4

Application No: DER/07/17/00920

Type: Full Planning Application

1. Application Details

1.1. Address: 29 Princes Drive, Littleover

1.2. Ward: Littleover

1.3. Proposal:

Two storey side and rear extensions to dwelling house (sitting room, living space, shower room, two bedrooms, en-suite, bathroom and enlargement of kitchen) and installation of a dormer window to the rear elevation.

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/07/17/00920>

Brief description

29 Princes Drive is a detached dwelling within an established residential area in Littleover. It is currently undergoing extensive renovations having recently been extended. The extensions to the property were largely covered by planning permission reference DER/05/16/642, which was granted in July 2016, however some of the work has not been completed in accordance with approved plans. The current application seeks to regularise those elements of the extensions which have been built differently.

Specifically, the current application shows the following changes:

- a pitched roof dormer on the rear facing roof plane;
- alterations to the first floor fenestration on the rear of the house;
- omission of a walk on balcony and inclusion of a Juliette balcony;
- omission of one ground floor side elevation (facing 27 Princes Drive) window (amended plans showing this change are awaited);
- a change in the height of both the roof of the single storey extension at the rear and the parapet wall above. The overall height of the extension and parapet remain the same, but the parapet wall is raised marginally in height and the roof height of the extension is marginally reduced; and
- a detached out building at the rear of the garden is also included.

It should be noted that some of the changes shown on the plans do not require permission, however they have been included for the sake of completeness and to avoid confusion about what is being built.

Amended plans that omit one of the side elevation windows (facing 27 Princes Drive) and showing the first floor window in the correct position have been requested and these will be reported at the meeting.

The current proposals also show a detached building at the rear of the garden area. This almost spans the width of the garden and is some 2.45m in height (when measured from the former and planned ground level) and as such does constitute permitted development and therefore is not considered further in this application.

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Type: Full Planning Application

2. Relevant Planning History:

Application No:	05/16/00642	Type:	Full Planning Permission
Status:	Granted conditionally	Date:	28/07/2016
Description:	Two storey side and rear extensions to dwelling house (sitting room, living space, shower room, three bedrooms, en-suite, bathroom, balcony and enlargement of kitchen)		

3. Publicity:

Neighbour Notification Letter – five letters

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

4. Representations:

Two letters of objection have been received to the application;

One expresses concern about the fact that the planning system allows for retrospective applications.

The second is concerned about the impact of the extensions (in particular the dormer window) upon the amenities at neighbouring properties, in particular privacy and enjoyment of neighbouring gardens. There is also concern to ensure that the detached summer house remains associated with the domestic use of the dwelling, rather than being used separately.

5. Consultations:

No consultee comments.

6. Relevant Policies:

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

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

CP3 Placemaking Principles
CP4 Character and Context

Saved CDLPR Policies

H16 House Extensions
GD5 Amenity

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

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http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/Core%20Strategy_ADOPTED_DEC%202016_V3_WEB.pdf

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

<http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/policiesandguidance/planning/CDLPR%202017.pdf>

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

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

7. Officer Opinion:

Key Issues:

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

7.1. Character and Appearance.

7.2. Residential Amenity

7.1. Character and Appearance

Planning permission was granted in 2016 (DER/05/16/00642) for two two storey side and rear extensions to this detached dwelling. This current application seeks to regularise several features which have been built differently to the approved plans, namely:

- Inclusion of a rear facing dormer window,
- Replacement of a first floor door on the rear elevation with a window and omission of a balcony.
- Replacement of a first floor window on the rear elevation with French doors and a Juliette balcony.
- On the south west side elevation, one of the new windows has been omitted.
- A change in the proportions of the single storey rear extension, decreasing the ceiling height and increasing the height of the parapet wall but not materially changing the overall height.

There has been no significant change to the local context since permission was granted in 2016 for the previous extensions. Therefore, the matters for consideration now are confined to those features of the development which deviate from the 2016 permission.

In terms of the overall appearance of the dwelling, whilst I note concerns from objectors that the extensions have created a very large dwelling, I am satisfied that the additional dormer and alterations to windows would not unacceptably harm the

character and appearance of the dwelling itself. The bulk of the amendments relate to the rear extension and rear elevation of the dwelling and as a result they would not have an impact on the overall appearance and form of the dwelling, when viewed from the street. I understand that neighbours are concerned that the dormer is a bulky addition to the roof, however on its own and without the other extensions and alterations to the roof of the property the dormer would constitute permitted development. I consider therefore that the proposed dormer extension is of an appropriate scale and proportions for the dwelling.

The dormer extension and window alterations are not clearly visible from the nearby street scene and therefore it would not be reasonable to consider that the change has a harmful impact upon the character and appearance of the street scene.

The change to the proportions of the single storey extension, the wall and parapet do not in my view significantly alter the overall appearance of the extension or its impact upon the character and appearance of the house. This element of the proposal is also not visible in the street scene.

The amended proposals are therefore considered to accord with the provisions of Local Plan – Part 1 Policies CP3 and CP4 and saved Policy H16, in relation to character and context.

7.2. Residential Amenity

With regards to the impact upon residential amenities, I note concerns that the new windows, including the elevated dormer window would undermine privacy at neighbouring properties.

Dealing firstly with the changes to windows at ground and first floor I am satisfied that the new French doors and Juliette balcony to the rear elevation at first floor would not, in my opinion provide any significant new views over nearby properties and would not adversely affect privacy for the adjacent residents on at 27 and 31 Princes Drive. I note that the balcony has not yet been installed. Once the balcony has been installed, there would not be scope for standing on the flat roof of the ground floor extension.

The dormer window would introduce views over the rear garden of the property from the second floor, however, I do not think that the views would result in significant overlooking of the two adjacent gardens of 27 and 31 Princes Drive. Moreover, any views would somewhat restricted as the window relates to a stairway (giving head height for the stairs). In this case, I do not think that the impact that the dormer has on privacy at the neighbouring properties would be so unreasonable that it would justify refusal of permission, particularly when similar dormers could be built as permitted development on dwellings not otherwise extended.

The amended proposals are therefore considered to safeguard residential amenities in accordance with the provisions of saved Policies H16 and GD5.

Committee Report Item No: 4

Application No: DER/07/17/00920

Type: Full Planning Application

8. Recommended decision and summary of reasons:

8.1. Recommendation

To grant planning permission with conditions.

8.2. Summary of reasons:

The proposal is considered acceptable in Planning Policy terms in regards to design, visual amenity and residential amenity. Whilst objections are noted, the position and scale of the dormer is such that the relationship with neighbouring properties is not uncommon and the views afforded from the dormer would not be dissimilar to those views from existing first floor windows. The dormer is also considered to be an appropriate addition in terms of the character and appearance of the dwelling itself.

8.3. Conditions:

1. Standard condition (3 year time limit)
2. Standard condition (specified approved plans)
3. The Juliette balcony to be installed prior to occupation of the dwelling and permanently maintained throughout the life of the development.
4. Obscure glazing to windows on side elevation of side extension and maintain for life of development.

8.4. Reasons:

1. In accordance with relevant Town and Country Legislation.
2. For the avoidance of doubt
3. In interests of Residential amenity
4. In interests of Residential amenity

8.5. Informative Notes:

1. The applicant is advised that this permission does not extend to cover the detached outbuilding at the rear of the garden as this part of the development constitutes permitted development. However it should be noted that the building should only be used for purposes incidental to the enjoyment of the dwelling house.

8.6. Application timescale:

The 8 week date was 03/10/2017. An extension of time until 16/10/2017 has been sought by email.

Type: Full Planning Application



Derby City Council

Delegated decisions made between 01/09/2017 and 30/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
10/16/01285/PRI	Full Planning Permission	Garages adjacent Lilac Court, Lilac Close, Alvaston, Derby	Erection of two bungalows (use class C3)	Granted Conditionally	21/09/2017
12/16/01508/PRI	Full Planning Permission	Land at 50 Thorndike Avenue, Alvaston, Derby, DE24 8NY	Erection of a dwelling house (use class C3)	Granted Conditionally	19/09/2017
02/17/00132/PRI	Full Planning Permission	1 Cotswold Close, Littleover, Derby, DE23 7FE	Single storey side extension to dwelling (living area) and raising of the roof height, installation of roof lights to the rear elevations and a dormer to the front elevation to form rooms in the roof space (two bedrooms and shower room)	Granted Conditionally	29/09/2017
02/17/00210/PRI	Works to Trees under TPO	Tree adjacent footpath entrance to Southgate Retail Park, Normanton, Derby, DE23 6UQ (between 166 and 170 Normanton Road)	Reduce the main horizontal stem to give 1m clearance of the footpath of an Ash tree protected by Tree Preservation Order No. 570	Granted Conditionally	01/09/2017
02/17/00244/PRI	Prior Approval - Offices to Resi	First floor, Derwent Valley Medical Centre, 16 St. Marks Road, Derby, DE21 6AH	Change of use of first floor from offices (use class B1) to five apartments (use class C3)	Prior Approval Approved	21/09/2017
04/17/00447/PRI	Full Planning Permission	141 Morley Road, Oakwood, Derby, DE21 4QY	Two storey side and single storey rear extensions to dwelling house (w.c, utility, enlargement of kitchen, porch, en-suite and enlargement of bathroom and bedroom)	Granted Conditionally	01/09/2017
04/17/00453/PRI	Full Planning Permission	2 Spoonleywood Court, Heatherton, Derby, DE23 7SZ	Single storey rear extension to dwelling house (conservatory)	Granted Conditionally	11/09/2017
04/17/00455/PRI	Advertisement consent	Unit rear of 4 Poplar Avenue, Spondon, Derby	Display of one internally illuminated fascia sign	Granted Conditionally	06/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
04/17/00457/PRI	Full Planning Permission	19 Rowley Lane, Littleover, Derby, DE23 7FT	Raising of the existing roof height, installation of dormers to the front and rear elevations, two storey and single storey extensions to dwelling house and installation of glazing to the front elevation	Refuse Planning Permission	04/09/2017
04/17/00462/PRI	Full Planning Permission	116 Burton Road, Derby, DE1 1TG	Change of use of ground floor from retail (use class A1) to hot food takeaway (use class A5)	Granted Conditionally	01/09/2017
04/17/00502/PRI	Full Planning Permission	75 Sunnyhill Avenue, Derby, DE23 7JR	Single storey rear extension to dwelling house (verandah) including the raising of ground levels and alterations to the roof design of the single storey rear extension previously approved under Code No. DER/12/15/01559	Granted Conditionally	15/09/2017
04/17/00511/PRI	Full Planning Permission	The Old Maltings, Forman Street, Derby, DE1 1JQ	Change of use of ground floor from business (use class B1) to a place of religious worship (use class D1)	Granted Conditionally	15/09/2017
04/17/00513/PRI	Full Planning Permission	79 Palmerston Street, Derby, DE23 6PF	Retention of the change of use from dwelling house (use class C3) to a house in multiple occupation (Sui Generis use)	Granted Conditionally	15/09/2017
04/17/00519/PRI	Full Planning Permission	Site of 574 Burton Road, Littleover, Derby	Erection of retirement living housing for the elderly, including 37 apartments and 8 houses, communal facilities, landscaping and car parking	Granted Conditionally	01/09/2017
04/17/00525/PRI	Full Planning Permission	4 Blakebrook Drive, Chellaston, Derby, DE73 1PA	First floor side extension to dwelling house (bedroom)	Granted Conditionally	19/09/2017
04/17/00541/PRI	Prior Approval - Offices to Resi	161-163 Chaddesden Lane, Derby, DE21 6LJ	Change of use of first floor from offices (use class B1) to two apartments (use class C3)	Prior Approval Approved	26/09/2017
04/17/00548/PRI	Full Planning Permission	Springfield Primary School, West Road, Spondon, Derby, DE21 7AB	Siting of a double decker bus for use as a library	Granted Conditionally	11/09/2017
05/17/00584/PRI	Full Planning Permission	Unit 7, Endland Industrial Estate, Parcel Terrace, Derby, DE1 1LY	Change of use from business (use class B1) to vehicle repairs with MOT station (use class B2)	Granted Conditionally	12/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/17/00593/PRI	Full Planning Permission	Site of 2D Henry Street, Derby, DE1 3BQ	Demolition of garage and erection of one dwelling to planning application - amendments to previously approved planning permission Code No. DER/11/15/01351 to make the rear annexe two storey	Granted Conditionally	14/09/2017
05/17/00595/PRI	Variation/Waive of condition(s)	Long and West Mill, Darley Abbey Mills, Darley Abbey, Derby, DE22 1DZ	Change of use of mill buildings from light industrial use (Use Class B1) to hospitality venue within West Mill (Use Class D2) and office accommodation within Long Mill (Use Class B1) - Variation of condition of condition 2 of previously approved permission Code No. DER/12/13/01514 to amend internal layout.	Granted Conditionally	12/09/2017
05/17/00611/DCC	Advertisement consent	17-24 Victoria Street, Derby, DE1 1ET (Former Debenhams)	Display of four advertisement hoardings	Granted Conditionally	15/09/2017
05/17/00618/PRI	Full Planning Permission	96 Traffic Street, Derby, DE1 2NL	Change of use from retail (use class A1) to beauty salon with retail sales (Sui Generis use / use class A1)	Granted Conditionally	21/09/2017
05/17/00624/PRI	Full Planning Permission	113 High Street, Chellaston, Derby, DE73 1TG	Two storey side and single storey front extensions to dwelling (porch, kitchen/diner, two bedrooms & bathroom) and installation of two dormer windows to the front elevation existing roof to form an additional bedroom in the roof space	Granted Conditionally	15/09/2017
05/17/00625/PRI	Full Planning Permission	Public open space at Sussex Circus Local Housing Office, adjacent to Perth Street, Derby	Formation of 10 parking bays	Granted Conditionally	20/09/2017
05/17/00626/PRI	Full Planning Permission	Public open space, Green Acres, Littleover, Derby	Formation of 3 parking bays	Granted Conditionally	20/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
05/17/00627/PRI	Listed Building Consent - alterations	Long and West Mills, Darley Abbey Mills, Darley Abbey, DE22 1DZ	Variation of condition 2 of previously approved planning application No. DER/12/13/01515/PRI Internal alterations in connection with change of use of mill buildings from light industrial use (Use Class B1) to hospitality venue within West Mill (Use Class D2) and office accommodation within Long Mill (Use Class B1) - To amend the approved plans	Granted Conditionally	12/09/2017
05/17/00651/PRI	Variation/Waive of condition(s)	Unit 5, Wyvern Retail Park, Wyvern Way, Chaddesden, Derby, DE21 6NZ	Variation of condition 3 of previously approved planning permission Code No. DER/12/15/01525 and condition 7 of Code No. DER/02/89/00286 to permit the sale of a wider range of goods	Granted Conditionally	18/09/2017
05/17/00667/PRI	Works to Trees under TPO	Unit 3, The Normanton Centre, Normanton Road, Derby, DE23 6WL (Home Bargains)	Cutting back of overhanging branches by 5-8 metres and crown lift by 2 metres of a London Plane tree protected by Tree Preservation Order No.327	Granted Conditionally	27/09/2017
05/17/00669/PRI	Full Planning Permission	545 Burton Road, Littleover, Derby, DE23 6FT	Change of use from dwelling house (use class C3) to health and beauty salon (Sui Generis use)	Granted Conditionally	21/09/2017
05/17/00671/PRI	Advertisement consent	Northcliffe House, Meadow Road, Derby, DE1 2BH (Wowcher Ltd)	Display of three non-illuminated fascia signs	Granted Conditionally	01/09/2017
05/17/00717/PRI	Full Planning Permission	202 Boulton Lane, Derby, DE24 0BA	Two storey side and single storey side and extensions to dwelling house (garage, two bedrooms, en-suite and enlargement of kitchen/family area)	Granted Conditionally	15/09/2017
05/17/00719/PRI	Full Planning Permission	139 Normanton Lane, Littleover, Derby, DE23 6LF	First floor rear extension to dwelling house (bedroom, bathroom and en-suite)	Granted Conditionally	12/09/2017
05/17/00723/PRI	Works to Trees in a Conservation Area	4 Mill Cottages, Darley Abbey Mills, Darley Abbey, Derby, DE22 1DZ	Crown reduction of a Sycamore tree by 3m and crown reduction of a Conifer tree by 2.5m within the Darley Abbey Conservation Area	Raise No Objection	21/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/17/00744/PRI	Full Planning Permission	91 Melbourne Street, Derby, DE1 2GF	Change of use from bed and breakfast (use class C1) to a house in multiple occupation (sui generis use)	Granted Conditionally	01/09/2017
06/17/00751/PRI	Full Planning Permission	First Floor, 61 Canal Street, Derby, DE1 2RJ	Change of use from education (use class D1) to business (use class B1)	Granted Conditionally	06/09/2017
06/17/00754/PRI	Full Planning Permission	31 The Hollow, Mickleover, Derby	Single storey side extension to dwelling house (utlity/boot room) to link the dwelling to the existing garage	Granted Conditionally	08/09/2017
06/17/00765/PRI	Full Planning Permission	Unit in South West corner of Pride Park Stadium, Pride Park, Derby, DE24 8XL	Installation of a new shop front	Granted Conditionally	06/09/2017
06/17/00766/PRI	Advertisement consent	Unit in South West corner of Pride Park Stadium, Pride Park, Derby, DE24 8XL	Display of an internally illuminated fascia sign and an internally illuminated freestanding sign	Granted Conditionally	06/09/2017
06/17/00767/PRI	Variation/Waive of condition(s)	Land west of Belmore Way, Alvaston, Derby, DE21 7AY	Variation of condition 2 of previously approved planning application code Nos. DER/11/14/01517 and DER/02/16/00146 to amend the approved plans in respect of unit 10	Granted Conditionally	08/09/2017
06/17/00785/PRI	Full Planning Permission	137 Pear Tree Road, Derby, DE23 6QF	Change of use from dwelling house (use class C3) to photography services sales area and retail area (use class A2) at ground floor with one flat above (use class C3), installation of a shopfront, roller shutters and a single storey rear extension (bathroom)	Granted Conditionally	08/09/2017
06/17/00796/PRI	Full Planning Permission	338 Uttoxeter Road, Mickleover, Derby	Two storey side extension, two storey and single storey rear extensions and installation of a rear dormer to convert a dwelling house to two flats (use class C3)	Granted Conditionally	27/09/2017
06/17/00799/PRI	Variation/Waive of condition(s)	Sainsburys Supermarket Ltd, Wyvern Way, Chaddesden, Derby, DE21 6NZ	Variation of condition1 of previously approved planning permission Code No. DER/10/06/01723 to amend the restrictions on the range of goods sold on the premises	Granted Conditionally	08/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/17/00801/PRI	Full Planning Permission	1 Gregory Walk, Littleover, Derby	Single storey side and rear extensions to dwelling (kitchen, bedroom and en-suite)	Granted Conditionally	11/09/2017
06/17/00804/PRI	Listed Building Consent - alterations	Museum & Art Gallery, The Strand, Derby, DE1 1BS	Internal works to rooms 29 and 30 to include alterations and removal of display cases	Granted Conditionally	22/09/2017
06/17/00805/PRI	Non-material amendment	Unit 5-8, Newmarket Drive, Derby, DE24 8NW	Subdivision into 4 units and change of use from bank/offices to individual trade counter units (sui generis use) - non-material amendment to previously approved planning permission DER/04/14/00459 to amend the internal layout and the location of windows and doors	Granted	19/09/2017
06/17/00811/PRI	Full Planning Permission	34 Cowley Street, Derby, DE1 3SN	Enlargement of garage	Granted Conditionally	26/09/2017
06/17/00812/PRI	Full Planning Permission	11 East Close, Darley Abbey, Derby, DE22 2BS	Single storey side extension to dwelling (lounge, bedroom and en-suite)	Granted Conditionally	01/09/2017
06/17/00828/PRI	Full Planning Permission	32 Sutton Avenue, Chellaston, Derby, DE73 1RJ	Single storey side extension to dwelling house (kitchen)	Granted Conditionally	12/09/2017
06/17/00850/PRI	Full Planning Permission	21 Stoney Lane, Spondon, Derby, DE21 7QH	Erection of 1.8m high boundary gates	Granted Conditionally	01/09/2017
06/17/00853/PRI	Works to Trees under TPO	10 Priory Gardens, Oakwood, Derby, DE21 4TG	Removal of epicormic growth, deadwood, crown clean and cutting back overhanging branches by up to one metre of an Oak Tree protected by Tree Preservation Order No.124	Granted Conditionally	18/09/2017
06/17/00860/PRI	Full Planning Permission	215 Porter Road, Derby, DE23 6RG	Two storey side and two storey and single store rear extensions to dwelling house (wash room, store, kitchen, dining room, two bedrooms and bathroom) together with formation of rooms in the roof space including the installation of a rear dormer (two bedrooms and bathroom)	Refuse Planning Permission	06/09/2017
06/17/00865/PRI	Full Planning Permission	17 Fairway Close, Allestree, Derby, DE22 2PD	Single storey front extensions to dwelling house (bay window and porch)	Granted Conditionally	12/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
06/17/00866/PRI	Full Planning Permission	11 Burlington Way, Mickleover, Derby, DE3 5BB	First floor side and rear extension to dwelling house (bedroom), infilling of ground floor recess and installation of a pitched roof and bay window to the existing side projection	Granted Conditionally	01/09/2017
06/17/00867/PRI	Full Planning Permission	32 Bank View Road, Derby, DE22 1EJ	Single storey side and rear extensions to dwelling house (conservatory)	Granted Conditionally	19/09/2017
06/17/00873/PRI	Full Planning Permission	London Road Community Hospital, London Road, Derby, DE1 2QY	Installation of replacement bay windows at second and third floor levels	Granted Conditionally	11/09/2017
07/17/00878/PRI	Full Planning Permission	6 Royal Buildings, Victoria Street, Derby, DE1 1ES	Change of use from financial and professional services (use class A2) to restaurant/cafe (use class A3)	Granted Conditionally	11/09/2017
07/17/00879/PRI	Listed Building Consent - alterations	6 Royal Buildings, Victoria Street, Derby, DE1 1ES	Alterations in association with the change of use from financial and professional services (use class A2) to restaurant/cafe (use class A3) to include formation of a kitchen area and w.c.	Granted Conditionally	11/09/2017
07/17/00885/PRI	Variation/Waive of condition(s)	77 Moor Street, Spondon, Derby, DE21 7EB	Single storey front and two storey side extension to dwelling house (porch, kitchen/diner, bedroom, dressing room and en-suite) - variation of condition 2 of previously approved planning permission Code No. DER/06/15/00724 to include a balcony, timber cladding and change the window colours	Granted Conditionally	06/09/2017
07/17/00886/PRI	Advertisement consent	Pets At Home, Meteor Centre, Derby, DE21 4SY	Display of various signage	Granted Conditionally	11/09/2017
07/17/00889/PRI	Full Planning Permission	27 Rowsley Avenue, Derby, DE23 6JZ	Two storey side and first floor and single storey rear extensions to dwelling house (hall, cloak room, sun lounge, bedroom and enlargement of bedroom)	Granted Conditionally	08/09/2017
07/17/00890/PRI	Advertisement consent	Meteor Centre Retail Park, Mansfield Road, Derby	Display of various freestanding signs	Granted Conditionally	01/09/2017
07/17/00891/PRI	Full Planning Permission	96 Traffic Street, Derby, DE1 2NL	Installation of roller shutters to the front elevation	Granted Conditionally	21/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/17/00892/PRI	Full Planning Permission	21 Rosamonds Ride, Derby, DE23 6JS	Retention of the installation of a mezzanine level to an existing annexe building and retention of an outbuilding (store, garden/play room and w.c.)	Granted Conditionally	01/09/2017
07/17/00896/PRI	Full Planning Permission	30 Chevin Road, Derby, DE1 3EX	Single storey side and rear extensions to dwelling house (office, utility room and enlargement of living space and kitchen)	Granted Conditionally	21/09/2017
07/17/00897/PRI	Full Planning Permission	7 Stratford Road, Derby, DE21 4DP	Single storey rear extension to dwelling house (dining room and w.c.)	Granted Conditionally	04/09/2017
07/17/00901/PRI	Full Planning Permission	29 Walnut Avenue, Alvaston, Derby, DE24 0PP	Single storey side and rear extensions to dwelling house (kitchen and store)	Granted Conditionally	01/09/2017
07/17/00904/PRI	Works to Trees under TPO	570 Burton Road, Littleover, Derby, DE23	Crown lift over the footpath to 3m and over the road to 5m, cutting back of branches to give 3m clearance of the building and removal of deadwood of a Pine tree protected by Tree Preservation Order no. 37	Granted Conditionally	08/09/2017
07/17/00907/PRI	Full Planning Permission	60 Uttoxeter Road, Mickleover, Derby, DE3 5GE	Two storey side and rear and single storey rear extensions to dwelling house (kitchen, living room, utility room, bedroom and en-suite)	Granted Conditionally	04/09/2017
07/17/00908/PRI	Full Planning Permission	11 Drewry Lane, Derby, DE22 3QS	Sub-division of dwelling house to form two flats (use class C3)	Granted Conditionally	19/09/2017
07/17/00913/PRI	Full Planning Permission	Units 2 and 2A, Meteor Centre, Mansfield Road, Derby, DE21 4SY	Sub-division and extensions to retail unit, installation of new shop fronts and alterations to the car parking layout	Granted Conditionally	21/09/2017
07/17/00914/PRI	Full Planning Permission	Meteor Centre, Mansfield Road, Derby	Erection of cafe/retail pod (Use Classes A3 and A1) with "drive through" facility and associated works	Granted Conditionally	22/09/2017
07/17/00916/PRI	Advertisement consent	1 London Road, Derby, DE1 2PN (Poundland)	Display of one internally illuminated fascia sign and window vinyls	Granted Conditionally	11/09/2017
07/17/00917/PRI	Full Planning Permission	18 Freesia Close, Mickleover, Derby, DE3 5NJ	Single storey side and rear extensions to dwelling house (enlargement of kitchen/family room)	Granted Conditionally	15/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/17/00923/PRI	Full Planning Permission	27 Steeple Close, Oakwood, Derby, DE21 2DE	Two storey side and single storey rear extensions to dwelling house (porch, study, w.c, utility room, living space, two bedrooms and enlargement of kitchen)	Granted Conditionally	06/09/2017
07/17/00924/PRI	Full Planning Permission	Ground Floor, 50-51 Friar Gate, Derby, DE1 1DF	Change of use from offices (use class B1) to beauty salon and hairdressers (sui generis use/use class A1) and installation of two soil pipes to the rear elevation	Granted Conditionally	15/09/2017
07/17/00925/PRI	Listed Building Consent - alterations	Ground Floor, 50-51 Friar Gate, Derby, DE1 1DF	Alterations in association with the change of use from offices (use class B1) to beauty salon and hairdressers (sui generis use/use class A1) including installation of two soil pipes to the rear elevation and internal refurbishment	Granted Conditionally	15/09/2017
07/17/00931/PRI	Listed Building Consent - alterations	1 St. Peters Street, Derby, DE1 2AE (HSBC)	Installation of a replacement fire door	Granted Conditionally	14/09/2017
07/17/00932/PRI	Full Planning Permission	Bemrose Community School, Uttoxeter New Road, Derby, DE22 3HU	Installation of replacement doors and windows to the main teaching block	Granted Conditionally	29/09/2017
07/17/00933/PRI	Full Planning Permission	2 Hobkirk Drive, Sinfin, Derby, DE24 3DT	Single storey front and rear extensions to dwelling (porch, bay window and lounge) and raising of the garage roof	Granted Conditionally	08/09/2017
07/17/00934/PRI	Full Planning Permission	463 Osmaston Park Road, Derby, DE24 8DD	Retention of a single storey rear extension to dwelling house (kitchen/dining room) and single storey side extension (w.c)	Granted Conditionally	19/09/2017
07/17/00935/PRI	Works to Trees under TPO	81 Bishops Drive, Oakwood, Derby, DE21 2BA	Crown clean and cutting back of branches to give 3 metres clearance from structures of an Oak tree protected by Tree Preservation Order No. 24	Granted Conditionally	08/09/2017
07/17/00938/PRI	Full Planning Permission	15 Mayfield Road, Chaddesden, Derby, DE21 6FX	Single storey rear extension to dwelling house (kitchen and sun room)	Granted Conditionally	15/09/2017
07/17/00939/PRI	Works to Trees under TPO	63 Smalley Drive, Oakwood, Derby, DE21 2SF	Crown reduction by 2.5m and crown lift to 5m of an Oak tree protected by Tree Preservation Order no. 376	Granted Conditionally	08/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/17/00940/PRI	Works to Trees in a Conservation Area	146 Duffield Road, Derby, DE22 1BG	Felling of Leylandii trees within the Strutts Park Conservation Area	Raise No Objection	20/09/2017
07/17/00942/PRI	Full Planning Permission	45 Lincoln Avenue, Derby, DE24 8QY	Two storey rear and single storey side extensions to dwelling house (kitchen, diner, utility, hall, w.c. and two bedrooms) and installation of a new first floor window to the side elevation	Granted Conditionally	19/09/2017
07/17/00943/PRI	Full Planning Permission	Land adjacent to 166 Westbourne Park, Derby, DE22 4HB	Erection of a dwelling house (use class C3)	Refuse Planning Permission	11/09/2017
07/17/00946/PRI	Works to Trees under TPO	8 Willowbrook Grange, Chellaston, Derby, DE73 1TR	Felling of an Elm tree protected by Tree Preservation Order No 81	Granted Conditionally	20/09/2017
07/17/00947/PRI	Full Planning Permission	The Old Nursery, 63 Nottingham Road, Spondon, Derby, DE21 7NG	Retention of change of use from day nursery (use class D1) to dwelling house (use class C3) and proposed single storey front, side and rear extensions (porch, garden store, utility room and enlargement of kitchen/dining area)	Granted Conditionally	13/09/2017
07/17/00954/PRI	Full Planning Permission	Littleover Dental Practice, 106 Littleover Lane, Derby, DE23 6JJ	Two storey and single storey extensions to dental practice, external alterations, installation of an external staircase and formation of a car parking area	Refuse Planning Permission	26/09/2017
07/17/00955/PRI	Full Planning Permission	4 Shireoaks Close, Littleover, Derby, DE23 7TP	Two storey front extensions to dwelling house (lobby/porch and enlargement of landing)	Granted Conditionally	15/09/2017
07/17/00956/PRI	Full Planning Permission	16 Hamblin Crescent, Sinfin, Derby, DE24 9PL	Retention of single storey rear extension to dwelling house (living area and wet room) and a raised decking area	Granted Conditionally	15/09/2017
07/17/00957/PRI	Full Planning Permission	39 Stocker Avenue, Alvaston, Derby, DE24 0QS	Two storey side and single storey front extensions to dwelling house (porch, sitting room, bedroom, bathroom and enlargement of garage and utility room)	Granted Conditionally	13/09/2017
07/17/00961/PRI	Full Planning Permission	2 Hereford Road, Chaddesden, Derby, DE21 4EH	Single storey rear extension to dwelling house	Granted Conditionally	13/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/17/00962/PRI	Works to Trees in a Conservation Area	91 Belper Road, Derby, DE1 3ER	Removal of the lowest branch of a Corsican Pine tree, reduction to guttering height of a row of Leylandii, cutting back of branches of a Copper Beech tree to give 2m clearance from house and those extending from the main canopy by 1-2m and re-pollarding of a Maple tree within the Strutts Park Conservation Area	Raise No Objection	20/09/2017
07/17/00965/PRI	Works to Trees under TPO	39 Highfield Road, Derby, DE22 1GX	Crown lift to 4 metres, crown reduction of lateral branches by 1.5 metres and cutting back of branches around telephone wires to give 0.5m clearance of a Cedar Tree protected by Tree Preservation Order No.'s 258 & 92	Granted Conditionally	15/09/2017
07/17/00966/PRI	Variation/Waive of condition(s)	4 Victoria House, Victoria Street, Derby, DE1 1ES	Variation of condition 3 of previously approved application code No. DER/10/16/01220 to amend the approved opening hours	Granted Conditionally	25/09/2017
07/17/00967/PRI	Full Planning Permission	418 Burton Road, Derby, DE23 6AJ	Change of use from residential care home (use class C2) to aesthetic treatment clinic (use class D1) including alterations and enlargement of the parking area and associated tree works - amendments to previously approved planning permission Code No. DER/02/17/00259 to include an external staircase and amend the fenestration	Granted Conditionally	15/09/2017
07/17/00969/PRI	Certificate of Lawfulness Proposed Use	10 Rydal Close, Allestree, Derby, DE22 2SL	Single storey rear extension to dwelling	Granted	18/09/2017
07/17/00971/PRI	Full Planning Permission	47 West Bank Road, Allestree, Derby, DE22 2FY	Single storey side and rear extensions to dwelling house (kitchen/dining area and a covered way)	Granted Conditionally	18/09/2017
07/17/00972/PRI	Prior Approval - Householder	5 St. Cuthberts Road, Derby, DE22 3JX	Single storey rear extension (projecting beyond the rear wall of the original house by 3.6m, maximum height 3.25m, height to eaves 2.1m) to dwelling house	Prior Approval Not required	11/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/17/00975/PRI	Full Planning Permission	81 Nottingham Road, Spondon, Derby, DE21 7NG	Single storey rear extension to dwelling house (dining room, lounge and w.c.)	Granted Conditionally	22/09/2017
07/17/00976/PRI	Full Planning Permission	4 Nesfield Close, Alvaston, Derby, DE24 0QT	Single storey front and rear extensions to dwelling house (porch and enlargement of living room)	Granted Conditionally	20/09/2017
07/17/00977/PRI	Works to Trees under TPO	187 Duffield Road, Derby, DE22 1JB	Cutting back of overhanging branches by 3 metres of a Cherry tree and three Sycamore trees protected by Tree Preservation Order no. 431	Granted Conditionally	20/09/2017
07/17/00978/PRI	Works to Trees in a Conservation Area	Tree at Cathedral Car Park, St. Michaels Lane, Derby	Various works to trees within the City Centre Conservation Area	Raise No Objection	05/09/2017
07/17/00980/PRI	Full Planning Permission	First Floor, 11-12 Brick Street, Derby	Change of use from office (use class B1) to dwelling house (use class C3(c))	Granted Conditionally	22/09/2017
07/17/00983/PRI	Full Planning Permission	116 Kedleston Road, Derby	Erection of a detached garage	Granted Conditionally	20/09/2017
07/17/00985/PRI	Works to Trees in a Conservation Area	27 Mickleover Manor, Mickleover, Derby	Felling of a Sycamore tree within the Mickleover Conservation Area	Raise No Objection	18/09/2017
07/17/00986/PRI	Full Planning Permission	58 Sandown Avenue, Mickleover, Derby	Two storey side and single storey rear extensions to dwelling house (w.c, utility, dining/family room, bedroom & en-suite)	Granted Conditionally	19/09/2017
07/17/00988/PRI	Prior Approval - Householder	48 Station Road, Chellaston, Derby, DE73 1SU	Single storey rear extension (projecting beyond the rear wall of the original house by 5.96m, maximum height 3.98m, height to eaves 2.98m) to dwelling house	Prior Approval Not required	11/09/2017
07/17/00989/PRI	Prior Approval - Householder	45 Glendevon Way, Chellaston, Derby, DE73 1WG	Single storey rear extension (projecting beyond the rear wall of the original house by 4.8m, maximum height 3.5m, height to eaves 2.3m) to dwelling house	Prior Approval Not required	11/09/2017
07/17/00991/PRI	Full Application - disabled People	30 Heron Way, Mickleover, Derby	Single storey rear extension to dwelling house (bedroom) and external works to include installation of a retaining wall, steps and access ramp	Granted Conditionally	20/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
07/17/00997/PRI	Certificate of Lawfulness Proposed Use	103 Shardlow Road, Alvaston, Derby	Change of use from residential (use class C3) to residential with care (use class C3b)	Granted	20/09/2017
07/17/00998/PRI	Advertisement consent	82 St. Peters Street, Derby	Display of one internally illuminated fascia sign and one internally illuminated projecting sign	Granted Conditionally	22/09/2017
07/17/00999/PRI	Variation/Waive of condition(s)	Site of and land at Kingsway Hospital, Kingsway, Derby	Residential Development (580 Dwellings), erection of offices (Use Class B1), retail units (Use Classes A1, A2 and A3), business units and associated infrastructure (roads, footpaths, open space and allotments) -- removal of condition 12 of previously approved permission Code No. DER/07/08/01081	Withdrawn Application	18/09/2017
07/17/01000/PRI	Prior Approval - Householder	103 Rosehill Street, Derby, DE23 8FX	Single storey rear extension (projecting beyond the rear wall of the original house by 5.5m, maximum height 3m, height to eaves 2.5m) to dwelling house	Prior Approval Not required	11/09/2017
07/17/01001/PRI	Advertisement consent	East Tower, University of Derby, Kedleston Road, Derby	Display of one internally illuminated advertising screen	Refuse Planning Permission	22/09/2017
07/17/01003/PRI	Works to Trees in a Conservation Area	20 Park Road, Spondon, Derby	Felling of three Ash trees and one Poplar tree within the Spondon Conservation Area	Raise No Objection	20/09/2017
07/17/01005/PRI	Prior Approval - Householder	34 North Avenue, Mickleover, Derby,	Single storey rear extension (projecting beyond the rear wall of the original house by 3.6m, maximum height 3.74m, height to eaves 2.68m) to dwelling house	Prior Approval Not required	01/09/2017
08/17/01008/PRI	Full Planning Permission	17 Leven Close, Sinfin, Derby	Two storey side extension to dwelling house (w.c., bedroom, en-suite and enlargement of kitchen)	Granted Conditionally	26/09/2017
08/17/01010/PRI	Full Planning Permission	2 Cobden Street, Derby	Change of use from nursing home (use class C2) to five apartments (use class C3)	Granted Conditionally	29/09/2017
08/17/01012/PRI	Full Planning Permission	2-4 Dulwich Road, Derby	Change of use from residential care home (use class C2) to three dwelling houses (use class C3)	Granted Conditionally	27/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
08/17/01013/PRI	Works to Trees under TPO	40 Tredegar Drive, Oakwood, Derby	Crown reduction by 1.5-2m (using thinning techniques) of an Oak tree protected by Tree Preservation Order no. 31	Granted Conditionally	26/09/2017
07/17/01014/PRI	Full Planning Permission	73 Devonshire Drive, Mickleover, Derby	Change of use from retail (use class A1) to veterinary surgery with retail sales (use classes D1 and A1) including installation of a new window to the front elevation and bricking up of windows and a door to the side elevation	Granted Conditionally	27/09/2017
08/17/01015/PRI	Full Planning Permission	33 Carrington Street, Derby	Single storey rear extension to dwelling house (conservatory)	Granted Conditionally	27/09/2017
08/17/01020/PRI	Full Planning Permission	226 Chellaston Road, Derby	Erection of a detached garage - amendments to previously approved planning permission Code No. DER/09/16/001175 to include a covered canopy	Granted Conditionally	27/09/2017
08/17/01027/PRI	Prior Approval - Householder	57 Dewchurch Drive, Sunnyhill, Derby	Single storey rear extension (projecting beyond the rear wall of the original house by 4.8m, maximum height 4m, height to eaves 2.5m) to dwelling house	Prior Approval Not required	19/09/2017
08/17/01028/PRI	Full Application - disabled People	10 Pear Tree Crescent, Derby	Two storey and single storey rear extensions to dwelling house (kitchen, study and play room)	Granted Conditionally	27/09/2017
08/17/01040/PRI	Prior Approval - Householder	27 Chaddesden Lane, Chaddesden, Derby, DE21 6LQ	Single storey rear extension (projecting beyond the rear wall of the original house by 4m, maximum height 3.85m, height to eaves 2.35m) to dwelling house	Prior Approval Not required	18/09/2017
08/17/01067/PRI	Full Planning Permission	137 Western Road, Mickleover, Derby	Two storey side and single storey front and rear extensions to dwelling house (porch, garage, utility room, family room, bedroom and en-suite)	Granted Conditionally	28/09/2017

Application No.	Application Type	Location	Proposal	Decision	Decision Date
08/17/01069/PRI	Non-material amendment	Plot C, Derby Commercial Park, Fernhook Avenue, Derby,	Erection of 2 warehouse units with flexible B1 B/C, B2 or B8 use together with associated ancillary office accommodation, means of access, parking, service, ancillary structures and landscaping - Non Material amendment to previously approved application DER/10/16/01253 to amend internal layout, site plan, east elevation, location of safety line and parking layout	Granted	14/09/2017
08/17/01076/PRI	Prior Approval - Householder	18 Worcester Crescent, Derby, DE21 4EQ	Single storey rear extension (projecting beyond the rear wall of the original house by 4.28m, maximum height 2.84m, height to eaves 2.26m) to dwelling house	Prior Approval Not required	27/09/2017
08/17/01094/PRI	Full Planning Permission	35 Mount Carmel Street, Derby	Change of use from bedsits to a single dwelling house (use class C3)	Withdrawn Application	06/09/2017
08/17/01103/PRI	Non-material amendment	32 Princes Drive, Littleover, Derby	Two storey and single storey front, side and rear extensions to dwelling house (garage, wet room, utility room, bathroom, three bedrooms and enlargement of kitchen and lounge) - non-material amendment to previously approved planning permission DER/03/16/00317 to omit the porch, set-back and alter the depth of the side extension and replace the french doors to the rear extension with a window	Refuse Planning Permission	25/09/2017