

Applications to be Considered

Purpose

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

Recommendation(s)

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

Reason(s)

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

Supporting information

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

Public/stakeholder engagement

- 5.1 None.

Other options

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

Financial and value for money issues

- 7.1 None.

Legal implications

- 8.1 None.

Other significant implications

- 9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)		
Report sponsor	Paul Clarke	12/11/2019
Other(s)	Ian Woodhead	12/11/2019

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

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1	1 - 8	19/01263/FUL	Sinfin Moor Social Club Arleston Lane Sinfin	Change of use from a social club (Use Class D2) to a place of worship and community hub (Use Class D1)	To grant planning permission with conditions.
2	9 – 50	19/00763/FUL	Land North Of Onslow Road And East Of Station Road Mickleover	Erection of 203 dwellings (Use Class C3) with associated infrastructure, open space and landscaping	A. To authorise the Director of Strategy Partnerships, Planning and Streetpride to negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Governance to enter into such an agreement. B. To authorise the Director of Strategy Partnerships, Planning and Streetpride to grant permission upon conclusion of the above Section 106 Agreement.
3	51 – 114	04/13/00351	Land North Of Snelsmoor Lane Chellaston	Outline Planning Application – for up to 800 dwellings (Class C3) with all matters reserved except access; access to be fixed off Snelsmoor Lane and Field Lane, a sustainable drainage system of attenuation ponds/swales, new primary school (Class D1) with playing field, alongside open space including creation of country park (including footpath/cycleways, wildflower meadows, public orchard etc.) and Green Infrastructure network. Full Planning Application – for 245 dwellings (Class C3) including site roads, Infrastructure, landscaping, attenuation ponds and play areas.	A. To authorise the Director of Strategy Partnerships, Planning and Streetpride to: i) negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Governance to enter into such an agreement; and ii) continue negotiations to resolve all outstanding technical issues.. B. To authorise the Director of Strategy Partnerships, Planning and Streetpride to grant permission upon the resolution of all outstanding technical issues and conclusion of the above Section 106 Agreement.
4	115 - 148	19/01265/FUL	Land At Rykneld Road Littleover (South Of The Hollybrook PH)	Erection of a retail unit (Use Class A1) with new access and car parking	To refuse planning permission.

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Application No: 19/01263/FUL

Type: Full Planning Application

1. Application Details

1.1. Address: Sinfin Moor Social Club, Arleston Lane, Sinfin

1.2. Ward: Sinfin

1.3. Proposal:

Change of use from a social club (Use Class D2) to a place of worship and community hub (Use Class D1)

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/19/01263/FUL>

Brief description

The application site is located on the east side of Arleston Lane in Sinfin. The building is a single storey flat roof structure rectangular in shape and positioned to the front of the plot. Land levels are generally flat across the site and a large tarmac area of car park exists to the side of the building. Since the building was constructed in 1976, it has continually been used for a social club facility for residents, as it is at present day.

To the immediate north is a grassed area of open space. To the east is a footpath and Sinfin Moor Allotments. To the south is a church building with associated car parking and to the west across the road is Sinfin Health Centre. Arleston Lane is on a main bus route. The adopted Local Plan identifies the application site as falling within the District Centre. The application building is within land owned by the Council. The correct ownership certificates have been served, including one to the Council. The applicant and agent have been notified of the requirement to vary the lease agreement with the Council to implement any change to the current use, although this is not a planning matter for consideration under this application.

Proposal

Full planning permission is sought for the change of use to a place of worship and community hub (D1 Use Class). A charitable trust would use the building as a Sikh Temple, which would be the primary use of the building, with a secondary element of community hub. The supporting statement lists the community uses as: a free kitchen; venue for wellness and meditation and venue for community groups. No external or internal alterations are proposed as part of the application. An accompanying layout plan shows provision for 60 parking spaces and 6 cycle hoops within the area abutting the building.

2. Relevant Planning History:

No relevant planning history.

3. Publicity:

Neighbour Notification Letters sent to nearby residential properties

Site Notice on street light column near the site

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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 29 objections have been received and 22 letters of support

Main points of Support

- Makes no sense for this not to go ahead
- Useful for the local community
- As it is a club, by definition it is only open to members and not the public, thus not inviting.
- A community hub and sikh temple is massively welcomed
- Application will rescue struggling social club to a more useful community asset
- All community groups will be invited to use this community facility regardless of ethnicity.
- Will improve amenities for the elderly and young alike
- Facility will be well used and can't wait to see it up and running
- There isn't a Gurdwara in Sinfin and Sikh population is high
- Asda is nearby and people tend to go shopping straight after visiting the Gurdwara

A petition of support has been received, with approximately 360 signatures. The points made in the accompanying letter include:

- The change of use aspires to establish a community hub for all, as a platform for social gatherings during the day.
- Provide a free kitchen 7 days a week to the congregation and local community
- Establish a place of worship
- Provide regular classes on 'wellness and mediation' to the entire community
- Develop amateur sports teams
- Provide free educational classes which include professional skills workshops and language classes
- Establish affordable childcare and after school clubs

Main points of objections:

- Sinfin moor allotments use the car park and access to the main gate which may not be usable if permission is approved
- The allotment group use the social club through the year for various events
- It is a vital piece of local community which would be missed if no more

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- It is the only place of this nature in the whole of Sinfin, Sinfin Moor and Stenson Fields
 - Comments relating to the constitution of the Club that whilst there is still an active member of the club then the premises must remain a social club.
 - Increase of traffic and parking unacceptable
 - There are sufficient spaces of worship for all denominations in the area
 - Reduction of establishments for the community to meet, be entertained, converse, exchange views is sadly lacking in an area the size of this neighbourhood
 - Loss of this club could have a detrimental effect to improve community cohesion and morale in the ward
 - Retaining some local community social space would be more important
 - Another place of worship is not needed
 - I do not believe this will be beneficial for the users of Sinfin social club nor the community in general
 - There are needs for more medical/doctors facilities.

5. Consultations:

5.1. Highways Development Control:

No objections raised.

In response to the Highway Authority observations of 15/10/19, the applicant has provided a vehicle and cycle parking plan. This shows the provision of 54 parking spaces together with 6 disabled spaces making a total of 60 parking spaces. In my earlier response I raised the requirement for a Transport Statement in support of the application. My colleague in Transport Planning has carried out an informal assessment of the proposals and has confirmed that the trip generation in respect of the current proposals is not dissimilar to the potential trip generation in respect of the current permitted use of the site. Therefore the Highway Authority no longer requires the provision of a transport assessment.

As previously stated, the site is served by an existing access and car park. The access is approximately 6m wide, falls from the highway and has acceptable levels of visibility. The site is within a sustainable location with easy access to public transport opportunities and cycle links. The Highway Authority does not consider that the proposals are likely to have a significant impact upon the adjacent highway network.

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

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City up to 2028 and the policies which will be used in determining planning applications.

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

- CP1a) Presumption in favour of Sustainable Development
- CP3 Placemaking Principles
- CP12 Centres
- CP21 Community Facilities
- CP23 Delivering a Sustainable Transport Network

Saved CDLPR Policies

- GD5 Amenity
- E12 Pollution
- E24 Community Safety

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

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_2017.pdf

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

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

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 change of use from D2 to D1 Use Class

7.2 Amenity impacts

7.3 Highway implications

7.1 Principle of change of use from D2 to D1 Use Class

The applicant is seeking permission for a change of use from a social club to a place of worship and community hub. Effectively, it would be a replacement of one form of community use to another type of community use. This concern has become a significant point in letters of support and objection received. The applicant states that there will no external works to the building, whilst the building will be redecorated

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and updated internally. So it is purely the change of use which is being considered. Any proposed external changes would be considered as part of a separate planning application. The application site is located within the Sinfin District Centre and an existing place of worship is located to the south while public open space is situated to the east and north.

A key aspect of this application is the loss of the existing social club facility versus the provision of a new community facility and as such, this policy response will focus on two issues; is the provision of a community facility appropriate for one of the City's retail centres and would the replacement of one form of community use to another type of community use accord with the requirements of Policy CP21?

A fundamental principle of the Local Plan is the promotion of sustainable development and this is reflected in the Plan's Key Objectives and in particular Policy CP1(a). Spatial Objective 2 states that the Council, through the implementation of the Plan, aims to develop stronger, safer and more cohesive communities. Policy CP1(a) states that the Council will *always work proactively with applicants...and communities to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.*

Consideration must be given to the need for a place of worship and whether it will undermine the vitality and viability of the centre. Policy CP12 seeks to strengthen the role of the City's retail centres and recognises that the District Centres have an important role to play in providing key services including shopping, commercial, leisure, public, and of relevance to this application, community functions. Importantly, the policy states that development in District Centres should primarily respond to the needs of the catchment and should support, not undermine, the vitality and viability of other centres. Reflecting the requirement of CP12, Policy CP21, criterion (b) requires that any new community facilities meet an identified need.

The Design and Access Statement, Section 3 seeks to demonstrate that there is a need for a place of worship and in particular a Gurdwara in the area and provides detailed information supporting the applicant's assertion. Paragraph 3.5 and Table 1 indicate the growing Sikh population in both the wider city and in Sinfin; showing that, between 2001 and 2011, the Sikh population in Sinfin grew from 955 to 1,223. The Design and Access Statement identifies the distribution of existing Gurdwara in Derby. It highlights that there are four Gurdwara in the city but the closest is 1.8 miles from the application site while the furthest is 2.4 miles away. It concludes by stating that there is a need for a place of worship in the area, supporting the local community.

Even though it is likely that the 'community hub' would be minor and an ancillary part of the proposed use, the change of use to a place of worship on this site would still be acceptable and complicit with Policies CP12 and CP21. Based on the information provided, the planning policy implications relating to this application are reasonable. Whilst the application merely replaces one type of community use with another, the applicant has provided evidence to suggest that there is a need for a new place of worship in the area; creating not only a new facility for the Sikh community in Sinfin, but for the wider community. A community use in a District Centre is compatible with

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the Local Plan's vision to promote healthy, inclusive communities as set out in CP1(a), CP12 and CP21.

It is important to note that the proposal would result in the loss of an established type of community function and a social club use is not directly comparable to a use for a place of worship, per se. However a form of community facility would remain, but it will lead to this particular social club establishment being removed and a differing community function in its place. At present the existing social club serves certain groups and individuals in the community and can be available to all. Very similarly, a place of worship as a Sikh Temple would serve certain groups and individuals. It could be available to all, depending on how inclusive the 'community hub' element is, given the primary religious use would govern how the building is run and how available it would be for other elements of the community. The same could be said for the existing church immediately adjacent to the application site. Moreover, it is recognised that the addition of another place of worship in the same locality would form a cluster of complementary uses here.

7.2 Amenity impacts

Given the geography of the site and surrounding area the nearest residential properties are located some 70 metres north of the application site, on Redwood Road, thus it is considered the impacts on residential amenity of the nearby dwellings would be negligible. This is because of the physical distance of the site from residential properties and levels of activity being relatively self-contained within the site and nature of the proposed use. The stated opening hours of 05:00 – 20:00 would differ from the existing social club hours of operation (12:00 – 23:00), but this would not have significant impacts on nearest residents. The proposed change of use would not therefore result in any substantive harm to the amenities and functioning of the neighbouring Church site, Medical Centre and impacts on the District Centre would be minimal.

7.3 Highway Implications

Policy CP23 seeks to ensure that people who live, work and travel in the City have a range of travel options and access to an efficient transport network. The Design and Access Statement indicates that the site benefits from good pedestrian links with the District Centre and residential areas of Sinfin and is well served by local bus routes. Furthermore, the proposal would utilise the existing access from Arleston Lane as well as the existing car park that currently serves the social club. The submitted proposed car park plan shows an area which could accommodate 60 parking spaces including disabled parking bays and 6 cycle hoops. Given the size of car park in context to the capacity of the building, there is very good provision for off street parking to serve proposed use.

The formalisation of parking bays would reduce likelihood of ad-hoc indiscriminate parking across the site and would be an improvement on the existing unmarked tarmac area of informal parking. I note the objection received from the allotment association who currently use the car park and access the allotments from the eastern corner of the site. Any granting of planning permission would not prohibit the use and access of the allotment main gate to the south east corner of the site, as it is

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accessed off a public footpath to the immediate east of the site. The Local Authority could not control any rights of access or agreements with other users utilising the parking area. Notwithstanding the above, a secondary means of access (double gates) to the allotment site exists off Redwood Road, opposite Arran Close.

In terms of the intensification of use and vehicular movements to and from the site, this will vary through the daytime, evening hours and weekend hours. Trip generation in respect of the current proposals is not dissimilar to the potential trip generation in respect of the current permitted use of the site. No objections have been raised by the Highways Officer in respect to traffic generation and highway safety. The transport requirements of Policy CP23 are therefore satisfactorily met.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To grant planning permission with conditions

8.2. Summary of reasons:

The proposed change of use to a place of worship and community hub (Use Class D1) would continue to provide a form of community facility for the site and building. It would be well situated within the District Centre and surrounding residential locality in a highly accessible and sustainable location. Whilst the primary use would be for a Sikh Temple, an element of a 'community hub' would accompany the main use. The amenity implications are minimal.

Having considered all applicable material planning matters, I conclude that the proposed development would reasonably satisfy the requirements set out in the specified Local Plan Policies of the saved CDLPR (2006) and relevant policies of the adopted Core Strategy-Part 1 (2017). The scheme would be acceptable in design, amenity, highways and policy terms. A recommendation is given to grant planning permission with appropriate conditions.

8.3. Conditions:

1. Time limit (3 years)
2. Standard condition (List of approved plans)
3. Provision of vehicular parking bays and cycle parking as detailed in approved plan drawing.

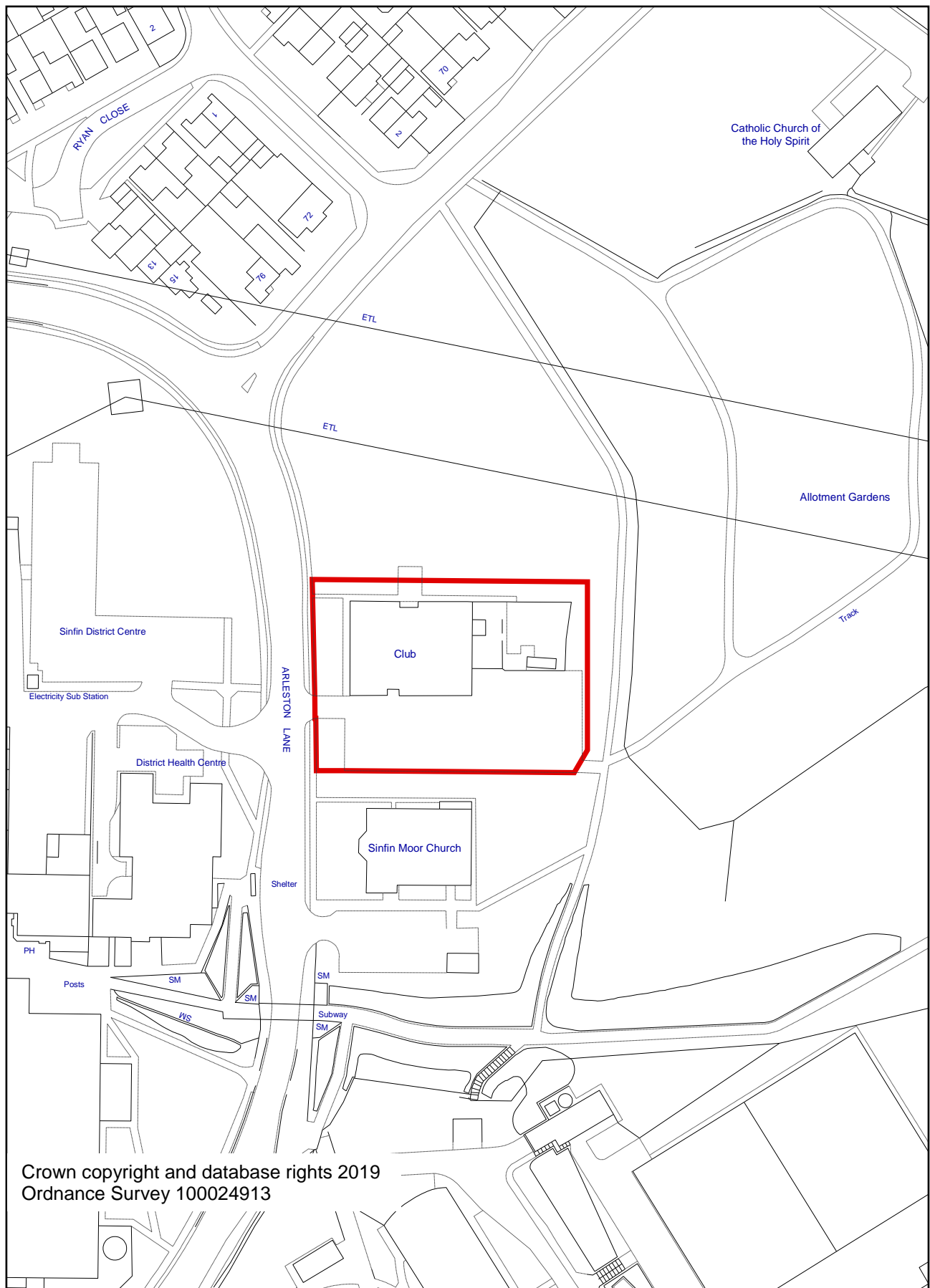
8.4. Application timescale:

The application 8 week target date was 26 October 2019, but an extension to the determination period has been agreed with the agent.

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Application No: 19/00763/FUL

Type: Full Planning Application

1. Application Details

1.1. Address: Land north of Onslow Road and east of Station Road, Mickleover

1.2. Ward: Mickleover

1.3. Proposal:

Erection of 203 dwellings (Use Class C3) with associated infrastructure, open space and landscaping and access details

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/19/00763/FUL>

Brief description

This application seeks full permission for residential development on a green field site to the northern edge of Mickleover, close to the city boundary. The site is bordered by residential properties on Onslow Road to the south and Station Road to the western boundary. Along the northern edge of the site is a woodland corridor which forms part of the former railway route which becomes a strategic cycle path to the west of Station Road. The cycle route currently runs along Onslow Road and becomes traffic free again through a large area of existing public open space, to the east of the site, known as Mickleover Meadows.

The application site comprises of a group of five former agricultural fields, which are unmanaged grassland, separated by species rich hedgerows and trees. The site area is approximately 9.7 ha in size.

The site lies on the edge of the built up area of Mickleover, with existing residential areas to the south and west of Station Road. Part of the site is within the Mickleover and Mackworth Green Wedge which separates these two areas of the city and is characterised by open fields and recreational uses, including Mickleover Sports Club and Mickleover Meadows public open space, which lie to the north and east of the application site. Mickleover Meadows is also a designated Local Wildlife Site and some of the land is managed as a Local Nature Reserve. Murray Park Secondary School is also located to the east of the site and is inside the Wedge. The application site was previously part of the Green Wedge and a large portion was taken out of the Wedge as a housing allocation in the Local Plan – Part 1 (Core Strategy), adopted in 2017.

There are nearby greenfield sites to the north and west of Mickleover, which are currently being developed for new housing both in the city, at Hackwood Farm and Mackworth College and in neighbouring authorities on Radbourne Lane and Newhouse Farm.

The proposal is to erect 203 dwellings, with associated road layout, landscaping, public open space, attenuation pond and children's play area. The developable land on the site accords with the Local Plan allocation on approximately 5.9 ha of the site.

The housing mix comprises 145 market dwellings and 58 affordable units for rent and shared ownership. A variety of house types are proposed, which would be primarily 2 to 4 bedroom houses, with a small group of 1 and 2 bedroom bungalows. The

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houses are all two storey dwellings with some 2.5 storey units, which have accommodation in the roofspace. There would be a mix of detached and semi-detached units with the affordable units being mainly terraced houses. Many plots would have detached garages. The house types are all traditional in style and appearance, using brick and render facades with tiled rooflines and period detailing to windows, doors and porch features. There is a broad variety in the design and appearance of the house types proposed across the development. The houses are set out around a street hierarchy which incorporates a single main street leading onto side streets and private drives.

The development is to be served by a single vehicular access from Station Road, with a new junction and right turn ghost island being formed in the public highway. A pedestrian and cycle link is proposed through the development to form a more direct off-road route to link with the existing strategic cycle path. It would run along the northern edge of the housing area alongside the public open space and through the centre of the site, with a short on-road section. There would also be a new cycle/footpath link into the south east corner of the development from Onslow Road.

The proposal incorporates a substantial element of public open space provision and landscaping works, which includes retention of natural features within the site. A large area of new public open space is to be laid out at the north eastern edge of the site, which would link in with Mickleover Meadows open space and provide a landscape buffer for the development and soft edge to the Green Wedge. The open space would include new and retained tree and hedge planting, particular around the site boundaries. A SuDs balancing pond and play area would also be laid out within this space. An additional balancing pond is to be located alongside the Station Road frontage.

Most of the hedgerows within the site have habitat significance and some of these are to be retained within the development as open space corridors through the housing layout and for their habitat value. Hedgerows and trees which are on the site boundaries (except for those fronting Station Road) are shown for retention as landscape buffers. There are also three of the four ponds within the site which are shown for retention alongside existing hedgerows.

Some minor amendments have been made to the development layout during the course of the application, which include variations to some house types, boundary treatment and enclosure of the landscape buffers and amended route of the cycle path through the site.

The application is supported by various planning and technical documents and these include an Arboricultural Assessment, Archaeological reports, site contamination report, Design and Access Statement, Construction Management Plan, Ecological Appraisal and Greate, Flood Risk Assessment, Framework Travel Plan and Transport Assessment, Landscape and Visual Appraisal and a Statement of Community Involvement.

2. Relevant Planning History:

None relevant.

3. Publicity:

Neighbour Notification Letter – 78 letters sent to nearby properties

Site Notice

Statutory Press Advert

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

Prior to submission of the application, the applicant carried out a public consultation exercise with the local community in October 2018. This included:

- Engagement with Ward Councillors and MP
- Letters to local residents
- A web site with details of the scheme and inviting online comments
- Dedicated phone line/ email for residents to comment on proposals

4. Representations:

49 letters of objection have been received to date, including to the re-consultation process. This includes a letter from the three Ward Councillors. The main areas of concern are as follows:

- Proposed access onto Station Road is unacceptable and requires complex design solution to accommodate access. It will cause congestion and visibility issues.
- Significant traffic impacts on Onslow Road from the new housing development would result and application underestimates the likely traffic impact.
- Local doctors surgeries are oversubscribed and would not accommodate the new housing
- Speed limit on Station Road approaching site should be reduced to 30mph and road safety measures implemented.
- No construction traffic should come through Mickleover.
- Travel to nearby schools should be encouraged to be non-car transport.
- Mitigation measures to prevent rat running on Onslow Road, to provide footway improvements and on-street parking restrictions, should be introduced. Road safety measures should also implemented on Station Road and Onslow Road.
- The landscape corridor would reduce security for local residents and does not allow maintenance of vegetation.
- Hedges are of habitat importance for wildlife and should not be removed.
- The land is subject to flooding
- Arboricultural reports have insufficient information on trees on adjacent land.
- Insufficient infrastructure to accommodate the additional housing.

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- The new housing would result in a loss of privacy and amenity for nearby dwellings.
 - Current housing proposal in addition to the approved housing schemes elsewhere in Mickleover is an over development of the local area.
 - Public transport in Mickleover is not convenient and likely to add to congestion on local roads.
 - Loss of green space to build housing is not acceptable.
 - Ecology reports do not properly consider presence of Great Crested Newts in adjacent gardens on Onslow Road.

5. Consultations:

5.1. Highways Development Control:

Introduction – This application is seeking full planning consent to build houses on a site allocated for residential development in the Derby Local Plan (Part 1). During the life of the application there has been a significant level of co-operation between the developer and the Council's highway section which has resulted in a number of important features and links being able to be delivered as outlined below.

National Planning Policy Framework (NPPF) 2018

NPPF and sets out the criteria against which the highway impact of the proposed development should be tested. It is important that this is the criteria used as the Secretary of State will use NPPF to test the suitability of the above proposal should the application go to appeal.

Paragraph 108 of the NPPF (2018) says:

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

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree, also:

Paragraph 111 says:

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

Considering the above criteria I make the following comments:

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

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The NPPF presumes in favour of sustainable development and consequently is seeking to influence developers to put in place measures to provide opportunity and encouragement for future residents to choose to travel by non-car modes, wherever this is realistic and feasible.

The developer agreed to provide the strategic cycle routes 54 & 68 through the site replacing thus providing an alternative to the existing route which runs along Onslow Road. This forms an important link in the longer distance cycle route into the City.

Also S106 funding will:

1. enable a shared use footway/cycleway to be provided between Nos 28 and 30 Onslow Road, which will provide a useful link for residents to access the local bus service which run along Brisbane Road;
2. facilitate the provision of a 'Toucan' crossing across Station Road to provide a safe crossing point for national cycle routes 54 & 68;
3. allow the City Council to bring forward a scheme to provide a section of footway behind the existing parapet wall of the old railway bridge on Station Road, linking the development to the area in the vicinity of the Gt Northern public house.

Consequently the development is considered to be sustainable.

- b) safe and suitable access to the site can be achieved for all people; and

Access to the site is to be taken from Station Road by means of a priority junction incorporating a ghost island to provide a safe waiting space for drivers' turning right into the site, whilst not impeding through traffic. The developer is also providing a 2.5m wide footway across the site frontage.

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

As mentioned above a ghost island is being provided to accommodate drivers' right turning into the site.

Traffic Modelling –

A comprehensive critique of the applicants Transport Assessment undertaken by Transport Planning colleagues can be found on the City's planning web site, they conclude as follows:

The submitted Transport Assessment provides a robust assessment of its impact on the local highway network. It has undertaken the necessary investigation in accordance with advice and data provided by Derby City Council and has highlighted that it will not have a severe impact. Whilst a number of junctions that have been modelled are close to or are over their capacity, it is not as a result of the proposed development, but the existing committed development in the locality.

The Travel plan outlines a number of measures and addresses travel by all modes. There is a limited bus provision to the locality of the development. As such, the travel plan must develop a strong case for those to travel by bus.

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The development plans to include the provision of a shared cycle/footpath through the development in order to deliver the route known as the "Mick-Mack". Discussions with HDC colleagues are ongoing in regards to the alignment of this route through the site.

Recent accident data has been studied and identifies that there are no accident patterns of concern on the local highway near to the proposed development site.

Conclusion – No highway objection subject to the following conditions and notes.

- 1) Prior to any development commencing within the application area:
 - a. the proposed access including the ghost island as shown for indicative purposes only on Drg No MI138-SL-102K shall be constructed and available for use;
 - b. a wheel washing facility constructed in accordance with details to be submitted to and approved in writing by the LPA shall be fully operational;
 - c. details of the Construction Management Plan including routing for construction traffic has been submitted to and approved in writing by the LPA;
 - d. Constructional details of the internal road layout for the site shall be submitted to and approved in writing by the LPA. The details shall conform to 'Designing Street and Places'. The housing layout shall generally conform to that shown on Drg No MI138-SL-102K unless otherwise agreed in writing with the LPA;
 - e. Details of the connection of the strategic cycle route with the existing section of path at the eastern end of the site shall be provided be submitted to and approved in writing by the LPA.

Reason: In the interests of highway safety and to ensure that the proposed road layout is designed to a standard that will produce a workable residential layout that will serve future residents adequately.

5.2. Highways Land Drainage:

Various consultation responses have been received during the course of the application to additional information submitted by the applicant. The most recent comments received November 2019 are as follows:

The applicant in response to my concerns about the private drainage in the western catchment (near to Station Road) has provided some reassurance that there are now only 8 properties draining to this western catchment, including the small pond to the east of Station Road along the boundary. I understand the topographical constraints of minimising or eliminating the need for this western catchment (ideally everything would flow eastwards at a controlled rate), and I note that since my last comments the numbers served by this private system has reduced from 23 to 8 out of 203 units.

Even though I still believe that this private system could be adopted by Severn Trent, the worst case scenario now seems to be that 8 properties would be drained by a private system, with the pond maintained by a wider management company. I can accept the worst case scenario as a possibility and forwards from there I can accept

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that there is no reason why the details of this private drainage system (including the adoption and maintenance) can't be managed by a planning condition. It should however be noted that this does not necessarily constitute me accepting the arrangements until more work has been done to look at alternative arrangements at a later date.

However, the second point regarding the proposed edge treatment and the realignment of the highway ditch is a little less straightforward. We have some issues with the information that has been presented to us this morning in response to my comments on 25th September/21st October. Essentially, we do not believe that there is enough space allocated in the development for the ditch. Approving the application may lead to us being in a position where we have a fixed development layout and no way of providing a suitable highway arrangement in that layout.

My initial concerns with what's been provided with the highway/ditch layout are:

1. It is not identifiable where the cross sections relate to. A chainage is given in some cases and a cross section reference in others, but these are not illustrated on a plan where these locations relate to.
2. The drawings appear to illustrate that the ditch is somewhere between 1 and 1.5m deep in most places, with sides as steep at 1:1 gradient immediately adjacent to the footway. Sides this sharp are a safety issue and I'm not sure there is room on the development layout to shallow out these gradients to a more acceptable slope. There is a ditch on that side of Station Road at present, although there is no footway so there is no risk. However this arrangement introduces a risk by introducing the footway. (In line with other developments, for ditches (watercourses) that have been diverted/amended by the development, we would look for 1:3 slopes. So the space required depends on the depth required to facilitate the development.)
3. The cross sections do not show what is on the opposite bank of the proposed realigned drainage ditch so we have been unable to evaluate this.
4. The headwall structure is overly imposing and the selected guard railing is not a safe choice for a pedestrian footway adjacent to that headwall. Any other railing or headwall may affect the required visibility splay from the development onto Station Road, which may be an issue for Highways DC colleagues. (*Note: The proposed ditches do not impact on the proposed visibility splays.*)
5. The arrangement has an increased road area, owing to the addition of the right turn lane serving the development. This increases flood risk unless the additional runoff is managed. Can the ditch take the volume of water coming from the additional surface without flooding or without taking up extra space which isn't available? What controls are being put in place on the ditch to avoid the increase in flows affecting elsewhere, including the old railway cutting which is already sensitive in flood risk terms.

There are other issues with the arrangement which could be discussed further under a planning condition, but I'll avoid these at this time as these do not affect the layout of the development at this stage. If the layout is fixed and no safe arrangement is possible, the only alternative would be to pipe the watercourse in its entirety. Doing

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this would be contrary to national and local policy relating to biodiversity and flood risk.

5.3. Natural Environment (Tree Officer):

Recommendation: Approve subject to conditions.

Observations:

Trees on and immediately adjacent the site are not protected by Tree Preservation Orders or within a Conservation Area. The nearest TPO is to the west of the site on the other side of Station Road.

The submission of an Arboricultural Assessment is welcomed and includes:

- Tree Survey
- Arboricultural Impact Assessment (AIA)
- New Tree and Hedgerow Planting
- Tree Protection Measures

The survey has carried out in July 2018. The Arboricultural Assessment recommends that it is necessary to review all comments and observations within two years of the date of the survey. Should development start after July 2020 then the tree survey must be updated and all subsequent plans updated to reflect amended recommendations.

Trees categorisation within the schedule appears to be correct. The best category tree (T19: Oak) is located on the east boundary and is shown for retention.

In my opinion the tree and hedge losses are acceptable as long as they are mitigated for.

One would expect at this time to have a draft tree protection plan. None was supplied although a tree retention plan was supplied that shows tree constraints with the proposed lay out. Principals for tree protection are laid out in section 6 of the Arboricultural Assessment and must be followed.

The Arboricultural Assessment acknowledges that trees and hedges need to be planted (with adequate soil volumes) in order to contribute to biodiversity gain (NPPF). The detailed scheme must ensure that new tree and hedge plantings contribute to a biodiversity net gain and trees and hedges have adequate access to soil volumes for them to thrive into independence in the landscape.

The appropriate/applicable elements of BS8545 should be used when designing the landscape scheme. Elements of BS5837:2012 Trees in relation to design, demolition and construction – Recommendations are also applicable.

With regards to supplying a suitable landscape/tree planting scheme the following must be provided:

- Scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted.
- A schedule detailing sizes and numbers/densities of all proposed trees/plants;

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- Design of tree pit to include:
 1. Provision of access to adequate soil volumes to support the tree through to independence in the landscape and beyond (may include soil cells).
 2. Provision of root deflectors and or root barriers if appropriate.
 3. Irrigation pipe (if used).
 4. Method of securing.
 5. Whether tree protection is being used (cage/guard).
 6. Method of tree pit finish must be supplied: i.e. mulch (including depth) or tree grille/grids.

The appropriate checks/methods should be made as per the recommendations in BS8545 Table 1 and 10.5.4 through to 10.5.18 (Appendix 1).

Post-planting management and maintenance

‘Post-planting management and maintenance is important if longevity in the landscape is to be achieved. A full young tree management programme with budgetary provision should be in place for all planting schemes. This management programme should be in place for at least 5 years.’

A post planting management regime must be supplied and complied with to include as appropriate:

- An irrigation plan relevant to the tree species, tree size and moisture holding capacity of the soil must be supplied to detail:
 1. Irrigation frequency. Note: the period for which irrigation is required is usually two full growing seasons.
 2. Amount of irrigation (in L)
 3. It is advisable to record irrigation events so that compliance can be demonstrated.
- Mulch must be topped up as necessary (specify mulch depth).
- Stakes must be adjusted as necessary and removed when no longer required.
- Removal of tree grilles/grids when required (not envisioned within 5 years of planting).
- Formative pruning as required.
- Failed tree planting must be replaced (must be recorded and made available to the LPA).

Reasons for failure if known should also be recorded.

- If high incidences of vandalism are recorded alternative methods of staking/protection should be explored. Any deviation from the Landscape Plan/Strategy must be made in writing and agreed with the LPA.

At the end of the 5 year condition period or Post-planting management and maintenance period a report must be supplied detailing:

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- Failed tree replacements (and reasons if known).
 - Irrigation events.
 - Photographs of landscape planting in situ at the end of the period. On large sites sample photographs may be appropriate.

A Tree Protection Plan and Arboricultural Method Statement must be supplied and agreed prior to the commencement of development. The installation of the Construction Exclusion Zone (CEZ) must be as the approved TPP and installed prior to commencement of development. The positioning of the CEZ must be inspected and approved by the project Arboriculturalist prior to the commencement of development and must be fit for purpose.

A detailed Landscape Plan and schedule must be submitted and approved.

5.4. Environmental Services (Landscape and Parks):

Based on the above Application, the Parks Team comments are as follows:

- The Parks Team are in support of the landscape buffer alongside the edge of Mickleover Meadows Local Nature Reserve as they will act as a method of protecting the ponds, meadows and tree lines which have evidence of species including Great Crested Newts, Bats and Owls and along with the boundaries of the local nature reserve. However, further clarification is required on how these will be maintained on the development side, that they continue to act as a buffer to the meadows into the future.
- Further clarification and detailed designs are required for the proposed play area for the green space within the site. This to include details on the target age group of the site, types of equipment to be installed and maintenance plan. Suitably robust equipment will be required for a public park meeting current British Standards. The design and installation will need to be approved by the appropriate officer within the City Council if the area is to be adopted by the Parks & Active Living Team. Clarification is required on further management agreements for the area
- Further clarification is required on the wider green space and the provision of attenuation basin to the North-East and East of the proposed development, currently there is no proposed layout of these areas along with the design for the basin. Detailed designs are required for both elements including consideration of how these will link in with the wider natural environment and maintain/improve the environment for the wildlife of the neighbouring nature reserve
- There is a concern that the proposal may change the ground water flow within the meadows which may have a detrimental impact on the reserve and seek clarification on this
- Further detailed designs are required to demonstrate the junction of the proposed new cycle path within the development area to the current cycle network (Route 68) which passes through Mickleover Meadows. Again clarification on the long term management of this route is required. Any loss of hedgerow and existing trees will require appropriate compensation

5.5. Environmental Services (Land Contamination & Construction Management):

I refer to information submitted by the applicant namely Station Road Mickleover Combined Phase I Desk Study & Phase II Exploratory Investigation for Bloor Homes Midlands (Project No: D38163, dated 17 December 2018) produced by GeoDyne Limited, which has been submitted in support of the above planning application.

A draft Construction Management Plan (CMP) (ref MI138-SL-010) has also been submitted, comments are provided with respect to the proposals for noise and dust management.

Report Summary (Combined Phase I Desk Study & Phase II Exploratory Investigation)

1. GeoDyne (Geotechnical & Environmental Consultants) Combined Phase I Desk Study & Phase II Exploratory Investigation provides a pre-development contamination assessment for land off Station Road, Mickleover, Derby. The assessment is based on the proposed development of low-rise residential end-use with private gardens, soft landscaping and areas of public open space; the proposed development layout was not provided to the consultant at the time of producing the report.
2. The report states that the site comprised an irregular shaped area of land comprising five adjoining fields at the northern extent of Mickleover. A site location plan (Figure No. D38163/01) is included in Appendix I of the report, the location reflects the location plans submitted with the current application.
3. At the time of the site works (October 2018) the site comprised undeveloped grassed fields. The site history presented indicates the site remains essential unchanged since 1880s when five undeveloped fields with sporadic trees and four small ponds were noted, two additional ponds appeared on site circa 1910s and further changes to the presence of water features in the 1950s and 1960s.
4. Off-site the proposed development area is surrounded by various historical commercial/ industrial activity and residential properties. Of note the 1880s map is indicated to include features such a 'windmill (flour); 'Brick yard' in the 'Mickleover station' area and a railway cutting and tunnel present along the northern site boundary, the 1990s maps show this features is no longer present and appears to have been infilled – rough grass/vegetation is identified in its place.
5. The site inspection noted that two isolated patches of vegetation were present in the central northern portion of the site (including a concrete slab in one location) and the former wells were suspected to be present at these locations. An apparent old bridge (over the former railway) is present to the north-west of the site and the area beneath appears to have been infilled.
6. The report states that there are no man-made deposits (i.e. made ground, worked ground or landscaped ground) indicated on the geological publications beneath the site. The site is reported to be underlain by the Gunthorpe Member of the Mercia Mudstone Group. The bedrock geology beneath the site is designated as a Secondary B Aquifer by the Environment Agency (EA).

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7. The report states that the reviewed historical publications indicate a former railway cutting immediately north of the site which appears to have been backfilled. The historical maps also indicate a former brick works with an associated excavation located to the west of the site which may have been backfilled. These features are reported to be situated with influencing distance (i.e. 250m) of the site boundary and are considered to represent potential sources of hazardous gas (carbon dioxide and methane) that may, under the right circumstances, affect the proposed development site.
 8. With regards to the small potentially infilled former ponds at the site and within influencing distance around the site, the consultants has concluded that despite the potential for ground gas to result from the man-made infilled material due to the small scale of the former pond features the risk of ground gas generation is considered to be very low.
 9. No preliminary conceptual model or initial risk assessment has been presented; the consultant progressed to a Phase II exploratory investigation alongside a geotechnical investigation.
 10. The consultant concluded based on the on site assessment that potential contamination that may be presents includes metals, metalloids and asbestos associated with any potential localised Made Ground beneath the site; Polycyclic Aromatic Hydrocarbons (PAHs) derived from any ashy inclusions and/or carbonaceous inclusion near the surface soils; and hazardous ground gases associated with infilled former ponds at the site, however the risk of significant ground gas generation from these features is considered to be very low.
 11. The consultant has concluded that off site features within potential influencing distance include: mobile contaminants such as hydrocarbons associated with the waste deposited within the former landfill to the north of the site, however only inert waste and construction/demolition materials are indicated to have been received and ground gas associated with the former landfill site and the areas of potentially backfilled / infilled ground in the vicinity of the site (including former brick works to the west)

Conclusions and Recommendations

12. The report states that no obvious visual or olfactory evidence of significant soil contamination were identified during the course of the site works such as hydrocarbons or asbestos fragments.
13. Based on the results of the ground gas monitoring undertaken, the consultant concludes no ground gas precautions in relation to methane and carbon dioxide is required.
14. The consultant concludes that based on the chemical contamination assessment undertaken on selected samples of localised made ground, surface topsoil and underlying Natural Strata, the soils are considered to be uncontaminated for the proposed residential with plant uptake end-use.

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15. Considering the above points I agree with GeoDyne Limited in their conclusion that the site is low risk from contamination and suitable for the proposed residential scheme. No further assessment is therefore required.

Construction Management Plan (CMP)

16. Ours of operation - the submitted diagrammatic plan refers to site operating hours which do not align with the hours recommended by Derby City Council guidance on construction hours which are as follows:

Monday to Friday: 7.30am to 6.00pm

Saturday: 8.00am to 1.00pm

No noisy work on Sundays and Bank Holidays

17. Noise – the plan refers to operation of noise causing plant or power tools only to be used strictly within operational hours – it should be noted that all works should be with operational hours but in addition more prescriptive restriction on the hours of significant noise generating activities such as Piling should be outlined and adhered to. For example Piling should only be carried out for a maximum period of 4 hours within any 24 hour period and only between 10am and 4pm Monday to Friday. There does not appear to be any reference to the use of noise barriers or justification for not utilising such mitigation methods.
18. Dust/dirt – further detail and prescriptive controls are required, e.g. dust screens, wheel washing of vehicle prior to exiting the site, ensuring all vehicles with potential dust causing materials are sheeted on entry and exit from the site. The focus should be on the prevention of dust and dirt on roadways to prevent the transfer onto highways and into adjoining residential areas. Communication plans to ensure dialogue with local stakeholders should be considered.
19. The submitted plan requires amendment to provide a more robust plan that protects local residents from noise and dust. The inclusion of an appropriate condition with any decision notice is therefore advised in order to ensure the draft plan is revised and implemented, for example:

No development shall commence until a Construction Management Plan for the development has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall include details of the routing of construction traffic during the construction period and shall be adhered to throughout the construction period.

The Plan all provide for:

- the parking of vehicles of site operatives and visitors
- measures to control the emission of dust and dirt during construction
- noise management procedures
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

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Unless otherwise agreed in writing by the Local Planning Authority, the construction works shall comply fully with the agreed plan throughout the duration of the works and each plan shall provide detailed mitigation measures specific to each area of the works. The procedures and measures outlined in the plans will need to comply with relevant British Standards or other agreed standards or guidance that shall be specified in the plan.

5.6. Environmental Service(Health – Air Quality):

I have reviewed the application information and I would offer the following comments in relation to Air Quality implications for the development as follows.

1. The proposed scheme is relatively large, seeking the development of over 200 residential dwellings.
2. The development will inevitably have some degree of air quality impacts on the local road network due to increased traffic.
4. Construction dust emissions are also expected to cause nuisance if not properly managed.

Operational Emissions

5. Whilst the location itself is of limited concern due to existing low levels of air pollution, there is concern that the addition of 200+ dwellings could inhibit the Council's attempts to reduce air pollution concentrations in areas of poor air quality, in particular, along Uttoxeter New Road and Ashbourne Road, which would be likely to be the main routes of choice for future residents into and out of the City.
6. Given the now better known health impacts arising from poor air quality, the development should be designed in order to be 'air quality neutral'.
7. I note that no air quality assessment has been completed in support of the application.
8. Whilst it is unlikely that air quality impacts from a development of this scale and in this location would justify a refusal of planning permission, **some degree of air quality mitigation is likely to be needed in order to offset the expected increases in air pollution arising from traffic generated by the scheme.**
9. **The Environmental Protection Team would therefore strongly recommend that an Air Quality Mitigation Strategy is completed for the site, to be agreed by the LPA via an appropriate planning condition, should permission be granted. All measures agreed under the Strategy should be implemented in full before the development is occupied.**
10. The AQ Mitigation Scheme should be designed in conjunction with existing and developing local air quality Plans, in particular the Council's Air Quality Action Plan and Low Emission Strategy.
11. As part of the AQ Mitigation Strategy, I would strongly recommend the consideration of installing Electric Vehicle Charging Points in all dwellings with driveways proposed on site. This is to mitigate potential air quality impacts, but also in line with the Government's Road to Zero Strategy.

Construction Dust

12. Given the scale of the scheme and its proximity to existing residential dwellings, dust will need to be managed on site in order to avoid nuisance during the earthworks and construction phases of the development.
13. **I would strongly recommend the submission and agreement of a detailed construction dust management plan, in accordance with IAQM Guidance or other relevant dust mitigation guidance. The Plan should be agreed by condition PRIOR to commencement of any construction works on site.**

5.7. Environmental Services (Noise):

I have reviewed the application information and I would offer the following comments in relation to noise implications for the development as follows.

1. The application site is not considered to be in a particularly noisy location generally and therefore site-wide noise assessment is not considered to be necessary.
2. Being a residential scheme, the development itself is unlikely to inherently create noise that could impact upon existing receptors within the locality.
3. I do, however, have some concern regarding potential conflict with future occupants of dwellings proposed close to the existing Great Northern Public House to the north western corner of the site.
4. The Great Northern has a Premises Licence (issued under the Licensing Act 2003) which currently permits live and recorded music, both indoors and outdoors, until 01.00 hours, 7 days a week, often holding events in a marquee during the summer months. **I consider it likely that complaints about noise could arise from future occupants of any dwellings proposed within close proximity to the Pub.**
5. **Consequently, I would strongly recommend that a condition is attached to any planning consent, should it be granted, requiring consideration of potential noise nuisance arising from the Great Northern Pub and affecting future dwellings, with associated noise mitigation provided before the development is occupied.**
6. Given the scale of the scheme and its proximity to existing residential dwellings, noise will also need to be managed properly on site in order to avoid nuisance during the construction phases of the development.
7. **I would therefore strongly recommend the submission and agreement of a detailed construction noise management plan, in accordance with BS5228 and/or other relevant noise mitigation guidance. The Plan should be agreed by condition PRIOR to commencement of any construction works on site.**

I have no other comments to make on the application regarding noise at this time.

5.8. Resources and Housing (Strategy):

The provision of a mixed tenure development will allow people in housing need to access quality, affordable homes. New homes are built to higher design and quality standards and with greater energy efficiency contribute towards helping those in fuel poverty.

Family accommodation is in demand in the city and this site contributes towards the strategic housing needs.

5.9. Derbyshire Wildlife Trust:

Revised comments (November 2019):

Further to our comments dated 5th November 2019 on the above application we have now reviewed an Addendum Great Crested Newt Report prepared by fpcr dated November 2019 submitted in support of the proposal.

The addendum report provides an updated mitigation strategy based upon the recognition of the use of the gardens of properties along Onslow Road by the local great crested newt population. The updated strategy includes the maintenance of habitat dispersal corridors, the creation of new aquatic and terrestrial great crested newt habitat as part of public open space provision, a capture/translocation exercise and the incorporation of dropped kerbs and offset gullies, which are all considered to be appropriate.

However, the movement of newts between the aquatic and terrestrial habitats requires the animals to cross the internal roads at the points where the dispersal corridors are breached by the new roads thereby presenting a risk of mortality from vehicle movements. This potential risk of mortality from vehicle movements has not been fully addressed by the updated mitigation strategy.

We therefore maintain our advice as presented in our consultation response dated 5th November 2019 and expressed at the meeting held on 20th September 2019 that dialogue should be had with Natural England licensing to provide assurance that a mitigation strategy that requires newts to cross the internal roads with the risk of mortality from vehicle movements would be acceptable as part of the granting of a licence.

We advise that the conditions recommended in our previous response of 14th August 2019 remain relevant.

Original comments (August 2019):

The application for residential development of 203 dwellings is supported by the following ecological reports:

- Ecological Appraisal prepared by fpcr dated May 2019
- Great Crested Newt Report prepared by fpcr dated May 2019

The 2019 Ecological Appraisal is based upon an Extended Phase 1 Habitat Survey completed on 24th July 2018 and provides an update to survey work carried out in 2013. The survey identified the site to comprise five field compartments bounded by well-established native hedgerows with mature and semi-mature trees. Three ponds are located within the site. The Trust is aware of records for great crested newt spanning a number of years from ponds on both the site and in the gardens of properties on Onslow Road directly adjacent to the site's southern boundary. The

continued presence of breeding great crested newts on the site was confirmed by a targeted great crested newt survey carried out in 2018 as presented in the Great Crested Newt Survey report prepared by fpcr dated. May 2019. Although the ecological consultants are aware of the records for great crested newt in the gardens of properties on Onslow Road as shown on the Desk Study and Consultation Results Plan included as Figure 1 of the 2019 Ecological Appraisal these have not been considered further in the proposed mitigation measures. A survey carried out by AECOM in 2017 confirmed a pond in one of the gardens on Onslow Road to be a breeding pond and we are also aware of great crested newts using the gardens on Onslow Road for hibernation. As currently submitted, the layout does not facilitate the movement of great crested newts between the ponds on the site and the ponds and gardens of properties of Onslow Road with the proposed road network, particularly the road running east-west through the site, presenting a barrier to movement with an increased risk of road mortality. Without appropriate mitigation and the provision of green corridors linking to the Onslow Road properties the population of great crested newts using the gardens of Onslow Road will be isolated. It is not clear how the internal road system will allow for the continued movement of great crested newts between the ponds and terrestrial habitat both on and off the site and avoid the risk of road mortality.

The Great Crested Newt Survey report May 2019 has rightly stated that although no ponds will be lost to the proposed development, a Natural England licence will be required due to the loss of suitable terrestrial GCN habitat within 250m of the breeding ponds. It is important that appropriate mitigation, compensation and enhancement are provided to maintain the favourable conservation status of the local GCN population as part of the licensing process. A broad mitigation strategy is included in section 7 of the GCN survey report. Unfortunately the mitigation strategy does not consider the presence of GCN in the gardens of properties along Onslow Road directly adjacent to the development site. Given that it is likely that the animals are part of a single meta-population that move between the ponds on the development site and the gardens on Onslow Road the mitigation needs to be revised to include the animals moving to the Onslow Road gardens and measures put in place through a revised layout to provide connectivity across the site in a north-south direction and avoid severance by the internal access road. Details also need to be provided in respect of maintaining connectivity for the continued movement of great crested newts between the ponds and terrestrial habitat both on and off the site and avoid the risk of road mortality. At the very minimum it is important that hedgerow H10, which provides a corridor between the known GCN breeding pond and the gardens of Onslow Road on the southern boundary, is fully retained to maintain the north/south connectivity. Section 7.6 of the Great Crested Newt Survey report dated May 2019 indicates that as part of mitigation there will be the creation of enhanced terrestrial great crested newt habitat in the north-east of the site incorporated within the proposed public open space. Such provision is not evident from the submitted Landscape Concept Plan. It is also not clear how connectivity will be maintained to allow the safe movement of newts from the breeding pond to the area of public open space in the north-east given that the route is severed by an internal road.

As the works will need to be undertaken under a Natural England licence to derogate from the offence of destruction of Great Crested Newt terrestrial habitat (place of

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shelter), we advise the Council that in reaching a decision the Council should demonstrate how the three tests set out at Regulation 55 of the Conservation of Habitats and Species Regulations 2017 have been considered, and state the evidence for conclusions drawn on each test as to whether the test can be met. The three tests set out within Regulation 55 are as follows:

- (i) The action will be undertaken for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment (Regulation 55(2)(e))
- (ii) That there is no satisfactory alternative (Regulation 55(9)(a))
- (iii) That the action will not be detrimental to the maintenance of the population of the species concerned at favourable conservation status in their natural range (Regulation 55(9)(b))

While we are unable to advise on the first two “non-ecology” tests, we would advise that on the basis of the proposed mitigation outlined in section 7. of the Great Crested Newt Survey report prepared by fpcr dated May 2019 we do not consider the mitigation to be appropriate as it has failed to take into account the movement of animals that form the same meta-population between the ponds on the development site and the ponds and gardens of the adjacent properties on Onslow Road. As such, we are not confident that the favourable conservation status of the local great crested newt population will be maintained and, as such, that test (iii) will be met.

All the hedgerows contain at least 80% native species and, as such, meet the definition of hedgerow priority habitat (Habitat of Principal Importance). We are of the view that the hedgerows provide a well-established network of corridors along which species, including great crested newt, can disperse. The hedgerow network also provides foraging and commuting routes through the site for the local bat population. It is understood from the report that all hedgerows and ponds on the site are to be retained, which is welcomed. However the submitted layout clearly shows the loss of hedgerows in addition to those sections required for the formation of access roads. Hedgerow H10 is a particular case in point which is disappointing given that the hedgerow forms a corridor along which great crested newts can migrate from the known breeding pond to the ponds and gardens of properties on Onslow Road. It is important that all hedgerow, trees and ponds proposed for retention are protected from damage by the erection of suitable protective fencing. Such details should be included in a Construction and Environment Management Plan (CEMP: Biodiversity) required by a pre-commencement planning condition.

Mickleover Meadows Local Nature Reserve and Local Wildlife Site is located directly adjacent to the eastern boundary of the application site. We advise that the development is unlikely to have any significant effects on the LNR/LWS as long as suitable alternative greenspace is provided to offset recreational pressure from incoming residents affecting the integrity of the local nature reserve. The proposed area of public open space in the north-east corner of the site as shown on the Landscape Concept Plan could contribute to mitigating for these impacts providing that the development provides a long-term commitment to the management of this

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area in accordance with an agreed Landscape and Ecological Management Plan (LEMP) as part of a S106 obligation.

The submission and approval of a Landscape and Ecological Management Plan (LEMP) should be secured by a planning condition.

Hedgehog has been recorded nearby on Mickleover Meadows LNR. Despite the presence of hedgehog in the vicinity of the application site having been recognised as shown on the Desk Study and Consultation Results Plan included as Figure 1 of the 2019 Ecological Appraisal it is disappointing that this priority species (Species of Principal Importance) has not been considered further in terms of mitigation. Planning Practice Guidance: Natural Environment, July 2019 places particular emphasis on providing safe routes for hedgehogs. We therefore recommend that a condition to secure a hedgehog mitigation strategy is attached to any permission.

We have considered the Landscape Concept Plan and express disappointment that large areas of the public open space are proposed for seeding with amenity grass seed. We would expect the provision of areas of wildflower meadow and areas of rough grassland throughout the scheme to provide biodiversity benefit and suitable terrestrial habitat for the local great crested newt population. Section 7.6 of the Great Crested Newt Survey report dated May 2019 indicates that as part of mitigation there will be the creation of enhanced terrestrial great crested newt habitat in the north-east of the site incorporated within the proposed public open space. Such provision is not evident from the submitted Landscape Concept Plan.

5.10. Derbyshire County Council Archaeologist:

Revised comments (October 2019):

Comments: Thank you for re-consulting on these amended plans. My previous recommendations (June 2019) were based on an interim report on the archaeological evaluation of the site and I note, almost four months later, that the evaluation report is not finalised or submitted to Derbyshire HER. Although I am able to base a planning recommendation on the interim report, as before, it is essential that the evaluation report is finalised with appropriate specialist work on the pottery and environmental samples, to prevent delays in scoping post-consent stages of work on the site.

My conclusions and recommendations remains as per previous comments.

Romano-British activity was identified in Trench 16 in the eastern corner of the site, comprising cut features with fills containing pottery, burnt bone and charcoal indicative of Roman-British settlement activity. This suggests a clear level of significance for Romano-British archaeology towards the site's eastern extent.

In addition, the well-preserved remains of four brick clamp kilns were encountered, possibly of 19th century date and associated with construction of the adjacent railway, though this has yet to be confirmed. The clamps appear likely to preserve evidence of the production sequence and methodology for brick-making, and a number of additional clamps are visible on the geophysical survey in the northern part of the site. This northern part of the site therefore has been shown to contain rare structural evidence for the brickmaking process at this period, with a high level of preservation.

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The archaeological remains within the site are of local-regional (19th century brick-making) and regional (Romano-British settlement) importance; a significant part of this importance lies in their potential to contribute to research agendas through the excavation and recording process. I therefore advise that the archaeological remains do not constitute an objection to development in terms of the policies at NPPF chapter 16, rather that they should be subject to a post-consent programme of excavation and recording in line with NPPF para 199.

This post-consent scheme would focus on area excavation and recording of the relevant areas of archaeological interest, followed by appropriate post-excavation analysis, reporting, archiving and dissemination.

The following conditions should therefore be attached to any planning consent:

"a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"

"b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."

"c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured."

5.11. Environment Agency:

No comments on the proposal.

5.12. Police Liaison Officer:

Revised comments (November 2019):

I think we are approaching agreement if not entirely there.

The southern boundary seems to be agreed as secured and gated excepting the newt corridor which would be fenced with an adapted section of close boarding.

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I still have reservations about the northern edge around plots 66/67.

There is a currently an informal footpath along the eastern edge of the site, dropping down into woodland from Station Road. It's visually enclosed for the first section by woodland, then meanders into less dense planting and is less defined, but definitely a feature. My concern is that a connection will develop onto this link from the newly laid footpaths of the proposal, which will cause problems for housing nearby, particularly plots 66 and 67 which are closest and have parking tight up to the boundary.

It's appreciated that a high close boarded fence would be too visually intrusive, conversely a 1.2m high post and rail fence would only be a symbolic barrier. There needs to be a compromise, probably a combination of existing/ new planting, and suitable fencing to strongly discourage such a connection, and direct foot use to within the site, along formal where it is overlooked, shared and lit. I don't think this path is a right of way so perhaps the link just needs closing off at a single point to achieve the above? Could it be held in abeyance as a condition if time is tight?

On the matter of A frames, I've suggested this as more effective than bollards, but if you recall also said that if used in tandem with fencing (up to retained hedging) this would need to be more robust than post and rail or it will just be broken through and the A frame by-passed. Maybe again one to be held as a condition if it can't be agreed upon before committee

Original comments (June 2019):

From a perspective of reducing crime and anti-social behaviour through design the layout proposed is broadly acceptable with attention drawn to matters of an improved building outlook and boundary treatment in key areas.

The layout is naturally heavily influenced by existing landscaping, particularly tree belts and mature hedges. The layout responds to these constraints in most areas, with secure outward looking blocks and back to back gardens.

Layout:

The block for plots 144-149 has two narrow passages for foot access between plots 147 and 148, and to the side of plot 144.

There is also an uneasy relationship between frontage access and adjacent plot 138.

I'd advise that these two routes are removed, and the block closed, as access to the associated parking court could easily be taken from a gated rear garden access point, provided that the gate in question was adequately specified and key lockable from both sides.

The rear garden fencing would allow a view of associated vehicles if half open trellised.

Gating:

This principle of key locking from both sides should extend to any shared garden access gate, some of which are indicated on site plans, with some shared accesses not being shown as secured.

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Such shared gated should be added to the origin of foot access routes for plots 19-22, 89-94 and 109-111. On the site plan gating is noted as being optional. I've queried this with the applicants agent, but as yet not had clarification

Peripheral Boundaries:

The southern edge of the site has a landscape buffer which provides an unsecured strip of open land between existing and proposed housing.

This will need to be secured at strategic points to prevent general access, with gating to provide for maintenance access.

The boundary will need to be more robust than the generally proposed garden boundaries, and probably specified to allow for free passage of wildlife

Accordingly I'd advise an acceptable metal rail fence of 2m in height to secure points next to plots 162, 186, 187 and 203.

(What is to happen to the existing field access between numbers 72 and 74 Onslow Road and its relationship with the rear of plot 186).

The northern boundary has a desire line running into the tree belt situated at the north-west corner of the site.

I'd consequently recommend an improvement of the specification of the rear garden boundaries for plots 13-17 and 23 up to a height of 2m, either fully close boarded, or 1.8m close boarded with a 300mm trellis, including the enclosing of the side of plot 23 where a knee rail is indicated (unless side outlook is improved as indicated later).

The open boundary with knee rail between plots 54 and 55 should be enclosed with 2m fencing along the outer edge of the site, and boundary in front of plots 67 and 68 better defined up to the road turning head in front of plot 66.

House treatment:

The well specified Brooke and Lyttelton house types form the majority of key plots across the site. There are other key plots, mostly end terraces where outlook is absent, for Sinclair, Sorley and Swift house types.

Pairs of semi-detached house for these types have the opportunity to add side windows to kitchen and living areas where an outlook would be desirable. The four block single and mixed types do not unless built handed to as shown.

My recommendation would be to take a look at the following plots and reconsider/confirm outlook.

Sorley:

137 – a weak outlook facing the footpath/cycle link.

108 – a corner plot

113 – facing a hedge buffer

126 – facing a hedge buffer

149 – facing a site edge hedge buffer.

Sinclair:

150 – facing a parking court

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130/131 – a prominent semi-detached pair.

23 - facing peripheral woodland (unless obscured by replacement fencing)

53 – facing a hedge buffer (gate set half way back linking to a knee rail? Need of clarification)

Swift:

115/116 – facing a parking court. To be treated as 117/118.

132/133 – confirm to be treated.

Foot/cycle links

The newly proposed link leading out between number 28 and 30 Onslow Road looks a little restricted in its relationship with adjacent new plots, with proximity being much closer than for existing housing.

The RID type house at plot 161 isn't included within online plans (also plot 199) so the relationship between this plot and the footpath is unclear. If there is no opportunity to further ease definition I'd suggest that the footpath has a boundary edge such as a 1.2m rail.

As the existing national cycle route currently running around the site is to be diverted through it, there will need to be restrictions placed at key transition points to prevent use by motor cycles, my suggestion being at the Station Road access point, Onslow Road access point and at a point to the north-east of the site which can effectively link in to other boundary treatment.

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)

- CP1a) Presumption in Favour of Sustainable Development
- CP2 Responding to Climate Change
- CP3 Placemaking Principles
- CP4 Character and Context
- CP6 Housing Delivery
- CP7 Affordable and Specialist Housing
- CP16 Green Infrastructure
- CP17 Public Green Space
- CP18 Green Wedges
- CP19 Biodiversity
- CP23 Delivering a Sustainable Transport Network
- AC22 Proposed Housing – Mickleover and Mackworth
- MH1 Making it Happen

Saved CDLPR Policies

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GD5	Amenity
H13	Residential Development – General Criteria
E17	Landscaping Schemes
E24	Community Safety
T2a)	City Council Schemes – Mickleover/ Mackworth Route
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_2017.pdf

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

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

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. Design and Amenity**
- 7.3. Highways and Transport Implications**
- 7.4. Open Space and Green Wedge**
- 7.5. Ecology and Trees**
- 7.6. Other Environmental Impacts**
- 7.7. Section 106 and Conclusion**

7.1. Policy Context

This is a full application which seeks permission for a residential development of 203 dwellings, associated public open space and landscaping on land north of Onslow Road in Mickleover. The land is allocated in the adopted Derby City Local Plan – Part 1 (Core Strategy) (DCLP) as part of a strategic housing location, involving land in both Mickleover and Mackworth. Policy AC22 identifies the land for up to 200 new high quality homes and sets out the specific policy requirements for development of the allocated sites.

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In the Housing Market Area (HMA) Derby City is unable to meet its housing need within boundaries and under the Duty to Cooperate the three LPA have agreed that some 5,388 dwellings will need to be met in South Derbyshire and Amber Valley in the plan period to 2028. This approach was found 'sound' by the Inspector examining the Derby City local plan and Amber Valley BC (AVBC) made no representations that this was unsound. Amber Valley's contribution to this unmet need is 2,375 and was taken into account in terms of the housing 'requirement' in the emerging local plan that AVBC had submitted for examination.

However, AVBC has withdrawn its emerging local plan, published an updated 5 year supply calculation claiming a 5.41 year supply based on the 'standard method' which takes no account of the unmet need in Derby which it had agreed to meet by 2028.

Derby City Council has made representations to AVBC that the unmet need in Derby is a material consideration to which significant weight should be given when determining housing planning applications in Amber Valley.

However, given that meeting this unmet need is now unlikely to feature in an adopted local plan for some time, it does not have the benefit of being 'plan led'. There may well be a delay in meeting this need in Amber Valley. This is a material consideration to take into account in determining housing planning applications in Derby and would suggest that additional weight should be given to the benefit of boosting the supply of housing in Derby.

The policies in the National Planning Policy Framework (2018) are also relevant to the delivery of new housing. Of particular relevance to this application, the Framework requires that the planning system is genuinely plan led and seeks to boost the supply of housing and use land effectively. The policies of the development plan are consistent with the Framework.

Policy CP6 (Housing Delivery) of the DCLP – Part 1 sets out the housing target for the city between 2011 and 2028. The target is that a minimum of 11,000 new and high quality homes are provided during this period. The policy also sets out that an appropriate mix of size, tenure and density of dwellings is provided. This site sits within a strategic location and is specifically allocated to contribute towards meeting this target.

The application site is located on the northern periphery of Mickleover to the east of Station Road and to the north of existing housing on Onslow Road. The land was part of the Green Wedge which separates Mickleover and Mackworth, before it was allocated for housing in the Local Plan – Part 1, which was adopted in January 2017. The Wedge in this area was narrowed as a result of the two housing allocations being made in the Local Plan. The two areas of land have been allocated as new strategic housing growth areas; one on the Mickleover side (Onslow Road) and one on the Mackworth side of the Wedge (the Former Mackworth College Playing Fields).

The housing allocation on the Mackworth side (former Mackworth College Playing Fields) is virtually complete with over 200 new homes having been built. This has already created a visual narrowing of the green area between Mickleover and Mackworth.

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The housing allocation in the DCLP – Part 1 means that the principle of residential use of the Onslow Road site is established through the plan making process. In fact, it is not only acceptable, but the housing growth strategy for the city requires that the site is delivered for housing in order to meet identified housing needs. The policy allocation is for up to 200 units, whilst the proposal is for 203 dwellings, so it is slightly higher than the intended number of residential units. However, in the context of the need to boost housing supply, maintain a 5 year housing supply and the fact that a significant part of Derby's housing needs are being exported to neighbouring authorities, I consider that it is acceptable to increase the dwelling numbers on the site as long as the impacts of doing so do not render the development unsustainable in other ways. This requires consideration of how the proposed development fits in with the character of the area and the existing residential densities. It is unlikely that an additional three dwellings would have such a detrimental impact so as to change the nature of the development.

The proposed location for new housing is sensitive and Policy AC22 sets out a range of specific requirements which must be met to ensure that development is acceptable, appropriate and sustainable.

It is important to note that the policies map for the Part 1 Local Plan identifies the developable area of the site, which is that which can be developed for residential use. The red line application site includes a larger area than the allocation, but the housing element must be contained within the area identified on the policies map so that a viable Green Wedge is maintained between Mackworth and Mickleover. Any housing development outside this area to the north or east would be in the Wedge and therefore contrary to the Green Wedge Policy CP18 in the Part 1 Local Plan.

The land which forms part of the application site and which remains in the Green Wedge is the north eastern part of the site and lies to the north of Mickleover Meadows open space. It is important that this area only includes uses compatible with the Green Wedge, set out in Policy CP18. Crucially, the proposed housing and main built form of the proposal would sit outside of the Wedge in the area allocated for housing. The Green Wedge part of the site is identified for the proposed area of public open space and drainage attenuation pond, which are uses compatible with the Policy.

The requirements of Policy AC22 promote the delivery of high quality, mixed tenure housing which embraces high design standards and reflecting the sensitivity of the greenfield location and proximity of existing residential properties. The policy also requires that vehicular access be taken from Station Road and contributions be made towards any highways infrastructure which is needed. Contributions should also be sought to primary and secondary school provision if needed. The Hackwood Primary School has recently opened and would fulfil the primary education provision for the proposed development. The policy also seeks to minimise the adverse impact of development on the openness of the Green Wedge, by the creation of open space and retention of green infrastructure, including existing trees and hedgerows to soften the edge of the narrowed Wedge. In addition, existing features of ecological importance should be retained and opportunities to enhance biodiversity should be taken where possible.

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Policy CP7 (Affordable and Specialist Housing) requires that a maximum of 30% affordable housing is provided on sites of more than 14 dwellings and that is relevant in this case. The policy requires a mix of affordable housing tenures to be agreed by the Council and allows flexibility subject to development viability, which must be justified by the applicant.

In terms of the more general planning policy principles, in particular policies CP1(a), CP2, CP3 and CP4 of the DCLP – Part 1 and saved policies GD5 and H13 of the CDLPR are all relevant. These are general development policies which seek to ensure that a sustainable and acceptable form of development is provided and that development is appropriate in the environment in which it will sit.

It is particularly important and a requirement of Policy AC22, that this site should be developed to high design standards due to the sensitivity of the adjacent Green Wedge location and the proximity to existing properties on Onslow Road.

Particular criteria within CP3 seek to optimise development densities and seek high quality architecture which is well integrated into its setting and exhibits locally inspired or distinctive character. This is important given the need to balance meeting housing needs in the city with ensuring high quality developments.

It is important that development sites in the city are developed at optimal densities to make efficient use of land because Derby City is constrained and is relying on neighbouring authorities to meet some of its housing needs. While seeking to deliver appropriate densities and ensure the efficient use of land, the other principles of sustainable development have great importance.

Policy H13 (Residential Development – General Criteria) should be considered in terms of the consistency of the proposal with each of the criteria. These include that a satisfactory form of development and relationship to nearby properties can be created, that urban forms, designs and layouts facilitate higher densities and energy efficiency, that a high quality living environment and layout of buildings and open spaces creates an interesting townscape and urban form and that good standards of privacy and security are provided. In this context it is important to consider the relationship of the proposed new homes with the existing properties on Onslow Road. This is reinforced by saved Policy GD5 which seeks to ensure that the amenity of the development site and buildings and that of nearby areas is not unacceptably harmed by proposals.

Policy CP2 sets out a wide range of aspirations and requirements for consideration including the sustainable location of development, energy and water efficiency, sustainable design and construction, the use of renewable energy and drainage and flood mitigation. Mitigating for and adapting to the impacts of climate change is increasingly important and the Council requires that appropriate actions are taken as part of development proposals to achieve these ambitions. As a housing allocation in the adopted Local Plan, the general location is considered to be sustainable for residential development so the issues for consideration relate more to the sustainability of the detailed matters, such as flood mitigation and drainage. A sustainable drainage solution is proposed for the development to minimise flood risk and provide on- site water attenuation.

7.2. Design and Amenity

Whilst the principle of up to 200 dwellings on the allocated site, has been established through the Local Plan process, the proposal is for 203 new homes, which must be considered against the requirements set out in Policy AC22. It is acceptable to slightly increase the number of units provided on the site, as long as the new housing incorporates high design standards and a mix of sizes and tenures and respects the existing character and sensitive nature of the location.

The application is supported by a Design and Access Statement, which includes a 'Building for Life 12' assessment and sets out the parameters and constraints which influence the development of this green field site. A Landscape and Visual Appraisal has also been carried out which illustrates the landscape context of the land, which is located in and adjacent to the Green Wedge. The detailed layout responds to the landscape and ecological features on and around the site as well as its edge of city location. Most hedgerows and trees through and around the edge of the site are incorporated into the scheme, which help to soften the visual impacts on the Wedge.

The urban design approach taken reflects the general character of existing housing and other committed developments in this area. This involves the provision of a broad mix of house types, comprising 1 to 4 bedroom houses and a small number of bungalows. The house types are traditional in style and appearance and predominantly two storey, with some two and half storey units, with accommodation in the roofspace. There is to be 58 affordable housing units pepper potted around the site, which are for rent and shared ownership. The house types are faced in brick and/or render with tiled rooflines and many have period detailing, including projecting bay features, porch canopies and pitched roof dormers. The application suggests a housing density of around 34 dwellings per hectare, which is relatively low and comparable with the other housing areas in this part of the city.

The housing layout is formed around a single main street running the length of the site, with side streets leading into private drives and courtyards. The plots are arranged mostly in street blocks, with dwellings fronting onto the road and enclosed rear gardens. Some groups of dwellings also front onto open space corridors of retained hedgerow and trees. Following amendments to the housing layout requested by the Police Liaison Officer, house types with additional windows in flank elevations have been introduced to ensure good natural surveillance over streets and pedestrian routes.

Revisions to widen the mix of boundary treatment through the development have also been made to enhance the streetscene and ensure a safe living environment is provided for future occupants. The provision of a suitable boundary treatment to secure part of the northern boundary with the woodland in the former railway cutting for the benefit of future residents is still subject to discussion between the applicant and the Police Officer and I am satisfied that this can be controlled by condition.

The house plots all have private parking with two spaces per unit, either with side driveways and garages or frontage parking in private drives. Junctions and sections over open space corridors would have raised tables for traffic calming and give pedestrian priority through the development. A new cycle link is also proposed across the northern part of the housing layout to join up with the strategic cycle route from the city centre to the west of Mickleover.

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The overall balance of housing mix, street blocks and network of open spaces is considered to create a well thought out and integrated scheme, which would provide linkages for pedestrians and cyclists to the wider areas of Mickleover and the rural edge. The development layout scores well against 'Building for Life 12' and is considered to fulfil the intentions of Policy AC22 in terms of its urban design credentials and meets the place making objectives of Policies CP3 and CP4 and saved Policy H13.

In terms of residential amenity, the proposed housing layout is generally considered to form high quality living environment for the future residents. The creation of defined spaces and streets, with clear public and private realm, would provide good defensible space for the residents. The revisions to the gated areas and the hierarchy of boundary treatment around dwellings, following advice from the Police Liaison Officer has enhanced the layout and ensured the provision of a secure environment and well defined spaces for the residents. The arrangement of streets and residential plots would provide defensible private space for each dwelling well related to their parking and to the street. Discussions with the applicant have taken place in relation to provision of appropriate secure anti-vehicle barriers to the entrances to the footpath/ cycle routes. Bollards and motorcycle barriers have been proposed, although these have not been finally agreed by the Police Officer, so they can be controlled by a suitable planning condition.

Existing residential properties lie to the south of the site, on Onslow Road and comprise of detached houses within generous curtilages. Houses on the north side of the road back onto the development site, where a 3 metre wide "landscape buffer" is to be retained between the rear gardens of the new residential plots and the existing properties. This buffer is a corridor of retained hedgerow and trees along the southern boundary, which would separate the existing and proposed houses as a form of screening and habitat retention.

Distances of some 25 to 30 metres between rear principal elevations would be achieved and with the hedgerow corridor in the middle, there would not an excessive loss of privacy for existing residents. Land levels are also similar across the site to Onslow Road, so that the new dwellings would not be at a much higher floor level than existing, with no material massing or oppressive impacts as a result for neighbouring properties. To the western end of the site, there is plantation of native trees, about 8-9 metres wide which borders the south boundary and is to be retained as a buffer with the new housing. This will provide an effective screen which should minimise any adverse impacts on resident's amenity. The plantation corridor is proposed to be securely gated to prevent public access and ensure a safe environment for existing and future residents.

Overall, the revisions to the layout and design of the development would not result in any significant harm to residential amenity of nearby properties and proposed dwellings, which is in line with the amenity requirements of saved Policy GD5.

7.3. Highways and Transport Implications

Policy AC22(c) requires that for new development of this site for housing, the vehicular access be taken from Station Road. This is what is proposed in the application. The main relevant transport policy is the DCLP – Part 1 Policy CP23

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(Delivering a Sustainable Transport Network) and saved CDLPR Policy T10 (Disabled Access).

Access and Layout

The proposed 203 dwellings would all be served off a single principal access road, with associated junction improvements proposed on Station Road. These would be in the form of a new right turn lane ghost island at the new junction and formation of a new 2.5 metre wide footway along the Station Road frontage of the site. There is currently no footway along the eastern side of Station Road. The current hedgerow and trees along the front boundary would be removed to form the footway and visibility splays for the proposed access. The Highways Officer is satisfied that the design and layout of the proposed access onto Station Road and associated highway improvements would form a safe and suitable access as required in the NPPF (2018).

The internal road layout would form a hierarchy of streets served off the principal access road, leading to smaller streets and private driveways. The use of raised tables at key junctions and straight sections would assist traffic calming through the development. Off-street parking is provided for all house plots, with two spaces allocated for each dwelling. There are no concerns raised about the highways design, in terms of accessibility and public safety.

Transport Implications

The application is supported by a full Transport Assessment (TA) and Framework Travel Plan. The TA fully assesses the traffic impacts arising from the development on the local highway network. Whilst the traffic generation from the proposal would be significant given that the site is currently a greenfield, I note that Transport Planning colleagues are satisfied that the impacts on the network are not considered to be severe. There are existing congestion issues on the Station Road corridor, although the proposed development would not have a material impact on those junctions and the additional impacts of the proposal are not considered to be significant.

The submitted Travel Plan includes a package of measures to encourage sustainable travel and work towards a 10% reduction in vehicle trips. Transport colleagues are satisfied that these measures could be developed further through a more detailed Travel Plan, which can be secured through a planning condition. I note there are some concerns about limited bus travel provision in the local area; however additional measures to increase bus use among local residents should be included in the final Plan.

The agreed Section 106 package of highway contributions for the scheme includes funding of off-site highway works to improve pedestrian and cycle facilities in the local area. The agreed contributions are as follows:

- a) Toucan crossing is proposed over Station Road towards the northern end of the site to provide safe crossing to the strategic footpath/ cycle route (Route 68) path to the west of the city.
- b) A shared use footway/ cycle route is proposed to be provided between Nos 28 and 30 Onslow Road, which will provide a useful link for residents to access the local bus service which run along Brisbane Road.

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- c) A scheme to provide a section of footway behind the existing parapet wall of the old railway bridge on Station Road is proposed, which would link the development to the north, to the area in the vicinity of the Gt Northern public house.

Pedestrian and Cycle connections

Although not within the application site, saved CDLPR Policy T2, identifies the former Micklegate/Mackworth railway line, which lies to the north of the site as a proposed major transport project. It is currently a woodland corridor and outside the red line of the development site. The policy promotes opportunities to connect to the city centre and to the countryside to the west, by providing improved access for walking and cycling. Whilst the former railway line does not provide an opportunity for an off-road pedestrian and cycle route under this application, the aspiration to deliver connections to the existing strategic cycle network are set out in Policy AC22 (e). This requires development of this site to improve the cycle network by linking routes 54 and 68, which run along the former railway line to the west and east of the site.

The proposal includes the provision of a multi-use footpath and cycle route through the development site, which links with Route 68, the existing path through Micklegate School Meadows to the city centre to the east of the site and to Station Road to connect with the former railway line and Route 54 towards Etwell. The 3 metre width route would be largely off-road, using designated paths, through the public open space and to egress onto Station Road. There would also be sections on widened footway through the northern part of the housing development. Some amendments to the latter sections were made during the course of the application to satisfy Highways Officer's concerns about providing a short part of the route on residential streets, shared with traffic.

The inclusion of a new dedicated pedestrian and cycle route through the development is welcomed and provides the important linkage between the existing cycle and footpath network and implement a continuous link into the city centre from the countryside to the west of the city. The new section of off-road cycle route would also deliver improved connectivity for sustainable travel for commuting and leisure purposes from Micklegate into the centre.

An additional footpath/ cycle linkage would also be formed onto Onslow Road, which would use an existing field access between dwellings, which is currently laid out as amenity grass and has an access onto the highway. This would further enhance the connectivity of the development to the existing housing area of Micklegate.

Overall, the development would have acceptable impacts on the local highway network and make contributions towards enhancing sustainable modes of travel, with no adverse impacts on highway safety, subject to the compliance with the recommended transport conditions. I am therefore satisfied that the highway related requirements of Policy CP23 and AC22 of the DCLP – Part 1 are adequately met.

7.4. Open Space and Green Wedge

Policy CP18 of the DCLP – Part 1 sets out the purpose and function of Green Wedges in the city and lists the potential appropriate land uses which could be implemented within those Wedges. Green Wedges are an important mechanism for

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defining the structure of the city, identifying different neighbourhoods and allowing the open countryside to penetrate into the heart of the city.

The original Green Wedge between Mickleover and Mackworth was narrowed through the allocation of two housing sites, as part of the Core Strategy – Local Plan Part 1 process, identifying one north of Mickleover (Onslow Road) and one south of Mackworth. Although the wedge has been narrowed it still functions to serve its purpose and it is important that the open character of the remaining wedge is maintained and strengthened where possible.

The part of the proposal for this site, which sits within the Green Wedge, would be for the provision of public open space and a surface water drainage pond. Both these uses are appropriate in the wedge, as set out in CP18 and are also consistent with criterion f) of Policy AC22, which seeks to minimise the impact on the mouth of the wedge and provide improvements within it, in the form of new green space. It is therefore entirely logical for the open space to support the new residential development to be located in the adjacent Green Wedge.

Policy CP17 sets out the Council's aspiration to enhance and improve a network of open spaces. The quality of new open spaces is particularly important given the growth requirements within the city. The land where the housing is proposed is open, green land and will be lost to built development and it is therefore important to retain high quality green space on the wider site.

The proposed open space and green infrastructure for the development is set out on a landscape concept plan, submitted in support of the application. The Design and Access Statement indicates that around 3.84 ha of the overall site would be given over to green infrastructure or 40% of the development area. The plan shows the inclusion and retention of most of the existing habitat features within the site, including ponds, trees and hedgerows; the creation of new habitat in the form of native trees, shrubs and hedge planting both within the open space and the built area of the development; an attenuation pond, as part of the SuDs drainage scheme and a childrens play area in the new open space. The proposed area of public open space for the scheme is to be laid out on existing open land to the north east of the proposed development site. It would be large in size and connect with the Mickleover School Meadows local wildlife site to the east and the railway cutting woodland plantation to the west, providing a continuous green corridor along the north and eastern boundaries of the site, to visually soften the edge of the housing development, where it meets the Green Wedge. The links between these areas of green infrastructure are important since it forms part of a network of open spaces, wildlife corridors and public rights of way on this western edge of the city.

The Councils Parks team are supportive in principle of the open space and landscape proposals, subject to details of design and future maintenance being agreed, in relation to the landscape buffer with the local wildlife site, childrens play area and the attenuation pond. The applicant has advised that all the open space, landscape features and drainage ponds would be maintained by a private management company, although an appropriate management and maintenance regime to safeguard the habitat features and SuDs in particular would be controlled through a suitable condition.

Overall, the proposed development would provide a substantial amount of green infrastructure, which includes a large area of public open space and retained habitat corridors. The proposals include connections between these areas and the new housing and with the wider townscape through the provision of footpath and cycle routes which link with the existing open spaces and green corridors to the east and west of the site. The proposals should deliver high quality open spaces for recreation, to improve the character and access to the Green Wedge and to enhance biodiversity. These are all qualitative benefits which meet the intentions for provision of open space and green infrastructure in Policies CP16 and CP17 and the site specific Policy AC22.

7.5. Ecology and Trees

Policy CP16 (Green Infrastructure) seeks to minimise and mitigate impacts on green infrastructure, including trees and biodiversity through development and wherever possible provide net gains.

The application site is former agricultural land which is subdivided by hedgerows and has various individual trees and tree plantations along the hedge boundaries. There is no Tree Preservation Order covering the site. An Arboricultural Assessment has been submitted in support of the application, which includes a survey of all the trees and hedgerows on the site and some trees along the southern boundary which are within the rear gardens of properties on Onslow Road. Many of the trees, including the plantations are categorised as Category B, which are those of moderate quality, with a life expectancy of 20 years or more. These generally are trees which should be considered for retention within a development. One Oak tree on the north eastern boundary of the site is a Category A tree, which is of the highest quality and considered to have potential to make a lasting contribution to public amenity.

The proposed site layout shows the retention of most of the trees and hedgerows on and around the perimeter of the site and their integration into the housing development to provide a network of green infrastructure, which runs through the site and connect with the Green Wedge and existing public open space. The incorporation of these important landscape features is welcomed and would help to assimilate the new built form into the rural edge and wider townscape. The retained trees and hedgerows would be complemented by additional native tree and hedge planting within the housing layout aswell as the new area of open space. The main element of removal is along the Station Road frontage, where the hedgerow and associated trees would be taken out to form the principal access and visibility splays for the development. They will however, be replaced with new hedge and tree planting on the front boundary with the widened highway.

The Tree Officer is satisfied with the content of the Arboricultural Assessment and accepts its recommendations in terms of tree and hedge losses and the biodiversity gains arising from the proposed tree and hedge planting. The impacts on trees and hedges are therefore considered acceptable, subject to planting details and tree protection measures being secured by means of suitable planning conditions.

Overall, I am satisfied that the development would not have significant harmful impacts on the existing landscape features within the site and any harm is to be mitigated by the planting proposals which would form part of the landscaping scheme

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for the development and public open space, which would provide net gains in green infrastructure within the site. The intentions of DCLP –Part 1 Policy CP16 are therefore satisfactorily met.

The application site and the surrounding landscape are sensitive for their ecological importance and this is recognised in Policy AC22, which requires development to take account of and mitigate for impacts on the nearby wildlife site and habitat features within the site, including hedgerows and ponds. The policy also seeks to enhance biodiversity as part of any new development.

An Ecological Appraisal was submitted in support of the application, which assesses the ecological value of features in and around the site and potential mitigation to protect and enhance the biodiversity. The adjacent Local Wildlife Site, which lies to the east of the site, is Mickleover School Meadow and this is part of the existing public open space. Onslow Road pond and drainage ditch is identified as a potential wildlife site and this features runs east to west through the centre of the site, alongside one of the hedgerows. The appraisal identifies three ponds within the site which are all located alongside hedgerows, which are known to be used by Great Crested Newts. They are also known to occupy ponds at properties on Onslow Road, which Derbyshire Wildlife Trust has highlighted although this is not picked up the applicant's appraisal. Ten hedgerows were recorded in the appraisal and are noted as being mature and overgrown and are considered to be "habitats of principal importance". The site also is of habitat value to other protected species, including bats, badgers and hedgehogs.

All three ponds and most of the hedgerows are proposed to be retained as part of the new open space areas and green infrastructure within the development. However, Derbyshire Wildlife Trust raised concerns that appropriate mitigation for safeguarding the Great Crested Newts had not been considered in the appraisal, particularly in relation to the potential movement of the newts between the ponds on the site and those on the Onslow Road gardens to the south. Discussions with the applicant identified that a section of hedgerow to the southern boundary which was shown for removal on the original layout, would be a suitable link from Onslow Road to the ponds on the site, since the hedgerows provide movement corridors for newts, as well as other wildlife. This section of hedgerow is now to be retained between plots 171 and 172, to provide a link from the landscape buffer on the southern boundary to the ponds in the centre of the site. A means to allow newts to cross the proposed internal roads between the hedgerows was also discussed, although any mitigation measures would require a Natural England licence, as part of a full mitigation strategy for the impact on the newt habitat. Having regard to DWT's revised comments that routes for newts to cross roads should be agreed pre-determination, it is acknowledged that there are accepted methods which must be agreed with Natural England before construction of the development. I am therefore satisfied that this matter can now be dealt with appropriately through a planning condition.

The retention of the hedgerows is welcomed both to maintain and enhance the habitat value of the site and as significant landscape features, which would give distinctiveness and character to the development. The hedgerows to the north and eastern part of the site would form the boundaries of the new public open space and the framework for new landscaping and native planting in the open space. Derbyshire

Wildlife Trust is supportive of their retention and inclusion in the open space in principle, since they would create a buffer with the existing local wildlife site to the east of the site.

However, the Trust has expressed concerns about the proposed use of amenity grassland mix for the public open space, rather than wildflower meadow and rough grassland. In my view, there is scope to incorporate all of these types of grass seed, to give both biodiversity benefits and provide for recreational use, given the large size of the proposed open space. These planting details would form part of a detailed landscaping plan, which can be appropriately dealt with by a suitable planning condition.

Following the revisions to the proposed site layout to accommodate the additional hedgerow corridor to provide routes for Great Crested Newts, between the existing ponds, I am satisfied that sufficient information has been submitted to be confident that the newts and their habitat would be adequately safeguarded through the proposed development. The issue of providing suitable road crossings for the newts can reasonably be addressed through a mitigation strategy, which must be agreed with Natural England post-determination and subject to a pre-commencement condition. The development as a whole would in my view maintain and enhance the high ecological significance of the site and minimise impacts on the adjacent wildlife site, such that the requirements of Policy CP19 for safeguarding and enhancing biodiversity are appropriately met.

7.6. Other Environmental Impacts

Drainage & Flood Risk

The application site is in an area which is classified as Flood Zone 1 and is therefore identified as being at low flood risk. Whilst there is a low risk of flooding in this location, the Land Drainage Officer advises that the site is in a sensitive catchment, where there have been recent flood risk issues in the local area. A surface water drainage scheme, which incorporates SuDs features, is proposed for the development. Given that this is a green field site and a major development, a SuDs scheme is required for this proposal, in order to minimise the potential flood risk to future occupants and the wider area.

In support of the application a Flood Risk Assessment and Drainage Strategy have been submitted and further drainage details provided to the Land Drainage Officer during the course of the application, to address his concerns about the layout and design of the proposed surface water drainage scheme. A few of those concerns are still outstanding at the time of writing the report and if addressed before committee, then any amended information will be reported at the meeting.

The proposed drainage strategy for the development includes the creation of a large surface water attenuation pond within the open space at the eastern edge of the site and a further smaller pond to the northwest corner, fronting Station Road. Both ponds are intended to be planted as habitat areas as well as having a drainage function. The drainage scheme would also include use drainage ditches and permeable paving to achieve further on site attenuation.

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The Land Drainage Officer still has unresolved concerns about the construction design of the proposed small pond/ ditch to the northwest boundary of the development, which fronts Station Road and in particular, the required gradients for those features to ensure public safety. These are detailed considerations which could be subject to a pre-commencement condition once the principles of the layout and depth of the pond and ditch have been agreed.

The future maintenance and management of the on-site drainage scheme is proposed to be carried out by a management company, who would also manage the open space areas. The details and operation of the maintenance regime should be controlled through a suitable planning condition to secure appropriate management of those features.

The use of a comprehensive SUDs drainage scheme for the development, to meet the surface water drainage requirements for the site, is broadly welcomed. The location of two ponds is accepted by the Land Drainage Officer, although the specific design of the attenuation pond and ditch in the north western corner will require further negotiation with Land Drainage colleagues to achieve an acceptable design. Subject to this part of the drainage scheme being agreed and compliance with suitable detailed conditions, the proposed SuDs drainage solution would be acceptable to mitigate flood risk in the wider area and accord with the SuDs requirements of Policy AC22 and the flood risk intentions of Climate Change Policy CP2 of the DCLP – Part 1 and the technical flooding requirements of the NPPF.

Noise and Air Quality

The Council's Environmental Health Officer has considered the proposed housing development in the context of potential noise impacts on the future residents and the potential air quality implications of the development for the wider townscape. The application is not supported by any assessments of these environmental impacts.

In respect to noise impacts, the main concerns raised by the EHO are from potential disturbance to the future occupants of the development from the nearby Great Northern public house, to the north of the site. It is understood that the pub has a licence for late night music and events both indoors and outdoors until 1am, 7 days a week which could result in adverse noise impacts on the occupants of the new dwellings. The EHO advises that events have been held in a marquee in the summer months, although the pub has built recently a function room extension to house events, so this may no longer be create the same level of noise impact. However, I note his recommendation for a condition to assess any potential noise nuisance for the new properties and mitigation measures if required.

The EHO has also raised possible noise issues for existing residents, which may arise from the construction phase of the development. Control measures would normally be incorporated into the construction management plan, which would be required through a pre-commencement planning condition.

In relation to air quality, the EHO is concerned with the potential impacts of the increase in traffic generation on air pollution levels in this part of the city. Given that the site is currently a green field, there would clearly be a significant rise in vehicle movements associated with the new housing, which could give rise to increased concentrations of poor air quality. In response to this concern, a mitigation strategy is

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recommended to offset the expected air quality impacts of traffic generation. This can be suitably addressed by use of planning condition to secure a scheme of measures to mitigate for poor air quality, which should include the introduction of electric charging points in the proposed dwellings.

Overall, I am satisfied that both the potential air quality and noise impacts identified by the EHO can be appropriately be mitigated through the recommended conditions and accordingly there would not be any significant harm to residential amenity as required by saved Policy GD5 of the CDLPR.

Archaeology

This green field site is believed to have significant archaeological interest as a result of a geophysical survey carried out on the site, in support of the application. A site evaluation has been undertaken, which found evidence of brick production dating back to the 19th Century. Evidence of earlier activity was also present, which suggested Romano- British settlement at the eastern end of the site. The County Archaeologist considers that the archaeological remains found on the site are of local-regional importance.

He advises that their presence does not amount to an objection to development, but rather should be subject to a programme of excavation and recording prior to any development commencing. A planning condition is recommended to secure a site excavation and subsequent reporting to investigate the areas of archaeological significance. I am satisfied that this matter can be dealt with by suitable conditions and accordingly the proposal would address the requirements of the saved archaeology Policy E21 and overarching heritage guidance in the NPPF.

7.7. Section 106 and Conclusion

Section 106 Package

The applicants have agreed to provide a full, policy compliant package of mitigation measures that will be secured through a Section 106 Agreement. The package includes provision of 29% affordable housing, which would be spread across the site and includes a mix of house types. This was reduced slightly from their original offer of 30% to include 3 wheelchair bungalows at our request to meet a specific housing need. The rest of the Section 106 package includes on-site open space, including provision of children's play area and SPD compliant contributions towards primary education, transport (including footway improvements, toucan crossing and other sustainable modes of transport improvements), community centres, swimming facilities, fitness centres and health facilities.

Conclusion

The land at Onslow Road, Mickleover is part of a strategic housing allocation in the Derby City Local Plan – Part 1. It is allocated to deliver up to 200 new homes in that location in order to contribute meeting the Council's housing target of 11,000 new homes for the period 2011 to 2028. The principle of housing has been already established on the part of the site which is to be developed for housing and the

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development area reflects the local plan allocation in Policy AC22. The proposal is for 203 dwellings is higher than set out in the local plan. However, the number in the plan was indicative and as long as the proposals meet other Local Plan and national policy objectives the three extra dwellings are considered to be acceptable.

This is a sensitive location in terms of its landscape setting and ecological significance and it is therefore important that the proposal integrates with the rural edge and retains green infrastructure, which contributes significantly to its character. The site borders and includes the Green Wedge, which lies immediately to the east and north of the housing allocation and includes important groups of trees and hedgerows, which have significant landscape and habitat value. The development would successfully incorporate these features and relates well to the Wedge, through a comprehensive landscaping scheme and provision of open space, which provides additional native planting to soften the visual impact of the new housing on the wider landscape.

There is a requirement in Policy AC22 to achieve a high design standard of development, having regard for the sensitivity of the location and nearby properties on Onslow Road. The design principles are set out in the placemaking and character Policies CP3 and CP4. Following amendments to the housing layout, the proposal would form a high quality urban design and living environment for both existing and future residents, which takes reference from the character of existing housing areas in Mickleover and meets the intentions of those policies and over-arching design guidance in the NPPF.

Overall, the proposal would deliver a high quality sustainable housing development in this sensitive, edge of city location, providing new housing to contribute towards the city's housing need. The development also includes new connections for pedestrians and cyclists to the existing facilities in the wider townscape and open countryside to the west of the city.

The development is therefore considered to be compliant with the design and environmental requirements of the housing allocation Policy AC22 and the general intentions of relevant policies in the Derby City Local Plan – Part 1 and saved City of Derby Local Plan Review and the over-arching guidance in the NPPF.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

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

8.2. Summary of reasons:

The proposal is an acceptable form of residential development for this green field site and Green Wedge, subject to adherence to the attached conditions and amounts to the provision of a comprehensive detailed design and layout for the site, a

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satisfactory living environment and including integrated landscape and open space strategy, retention of existing ponds, trees and hedgerow features within the built up area of the development. In the opinion of the Local Planning Authority there are no over-riding highway implications associated with the overall scheme and it includes the provision of appropriate walking and cycling routes and linkages with the existing footpath and cycle network. The environmental impacts on ecological and landscape features, archaeology, flood risk and surface water drainage would not be significant, subject to appropriate protection and management schemes being implemented. The proposal would deliver significant housing, to address the city's housing need and is considered appropriate in this edge of city location.

8.3. Conditions:

1. 3 year time limit condition
2. Approval of specified plans condition

Pre-commencement conditions

3. Tree protection plan and arboricultural method statement to be submitted for protection of retained trees and hedges and for method of working
4. A construction management plan for control of noise/ dust emissions, hours of operation, construction traffic routes and waste recycling to be submitted and implemented through construction period.
5. A construction environmental management plan for protection of biodiversity from construction activities, to be submitted and implement through construction period
6. A mitigation strategy for protection of routes and habitat for Great Crested Newts to be submitted and obtain a Natural England licence, before any works are commenced.
7. A hedgehog mitigation strategy for duration of construction works and measures to allow movement of hedgehogs through the development to be submitted and implemented during construction phase and before occupation of units.
8. A written scheme of investigation for archaeological works to be submitted and works completed on site.
9. The vehicular access onto Station Road including Ghost Island to be constructed and made available for use before development commences.
10. A wheel washing facility for use during construction to be erected in accordance with details to be agreed.
11. Design and construction details of the internal road layout for the development to be submitted before works are commenced.

Pre-occupation conditions

12. A detailed landscaping and tree planting scheme for the open spaces, landscape buffers and street trees to be submitted to include retained vegetation, details of species and size of new tree and shrub planting, grassland mix and SuDs planting and design of tree pits.

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13. Landscaping scheme to be implemented and maintained.
14. Details of a landscape and ecological management plan for the long term management and maintenance of the public open spaces and woodland and hedgerow corridors to be agreed and implemented.
15. External materials to be used in development, as shown on submitted materials layout, unless otherwise agreed.
16. Boundary treatment to be used in development, as shown on submitted boundary layout, unless otherwise agreed, with exception of the following, where details to be submitted and agreed:
 - a) Boundary details for northern boundary of private drive to Plots 66 and 67
 - b) Anti- vehicle barriers to entrance to footpath/ cycle routes
17. Details of treatment of connection of footpath/cycle route to eastern boundary of the site, with the existing strategic cycle path (Route 68) to be submitted.
18. An assessment of potential noise nuisance arising from the activities at the Great Northern public house, affecting proposed dwelling and where necessary details of mitigation measures to be implemented before occupation.
19. An air quality mitigation strategy to be completed for the development and any agreed measures implemented before occupation.
20. An archaeological post investigation assessment and report to be completed and submitted before occupation.
21. Details of a management and maintenance arrangement for the surface drainage scheme, including SuDs elements and adoption of surface water drainage features to be submitted before occupation.
22. The development to be carried out in accordance with the surface water drainage scheme, including SuDs features submitted and approved.

8.4. Informative Notes:

- 1) The above conditions require works to be undertaken in the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. In order for these works to proceed, you are required to enter into an agreement under S278 of the Act. Please contact Robert Waite Tel 01332 642264 for details. Please note that under the provisions of S278 Highways Act 1980 (as amended) commuted sums will be payable in respect of all S278 works.
- 2) Derby City Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). You should be aware that it is an offence to build dwellings unless or until the street works costs have been deposited with the Highway Authority.
- 3) For details of Designing Streets and Places and other general construction advice please contact Robert Waite Tel 01332 642264.

8.5. S106 requirements where appropriate:

The application would deliver a package of contributions which are as follows:

On-site

- 29% affordable housing provision
- Public open space and childrens play area

Off-site

- primary education
- transport improvements to Station Road corridor (including footway improvements, toucan crossing and other sustainable modes of transport improvements)
- community centres
- swimming facilities and fitness centres
- health facilities

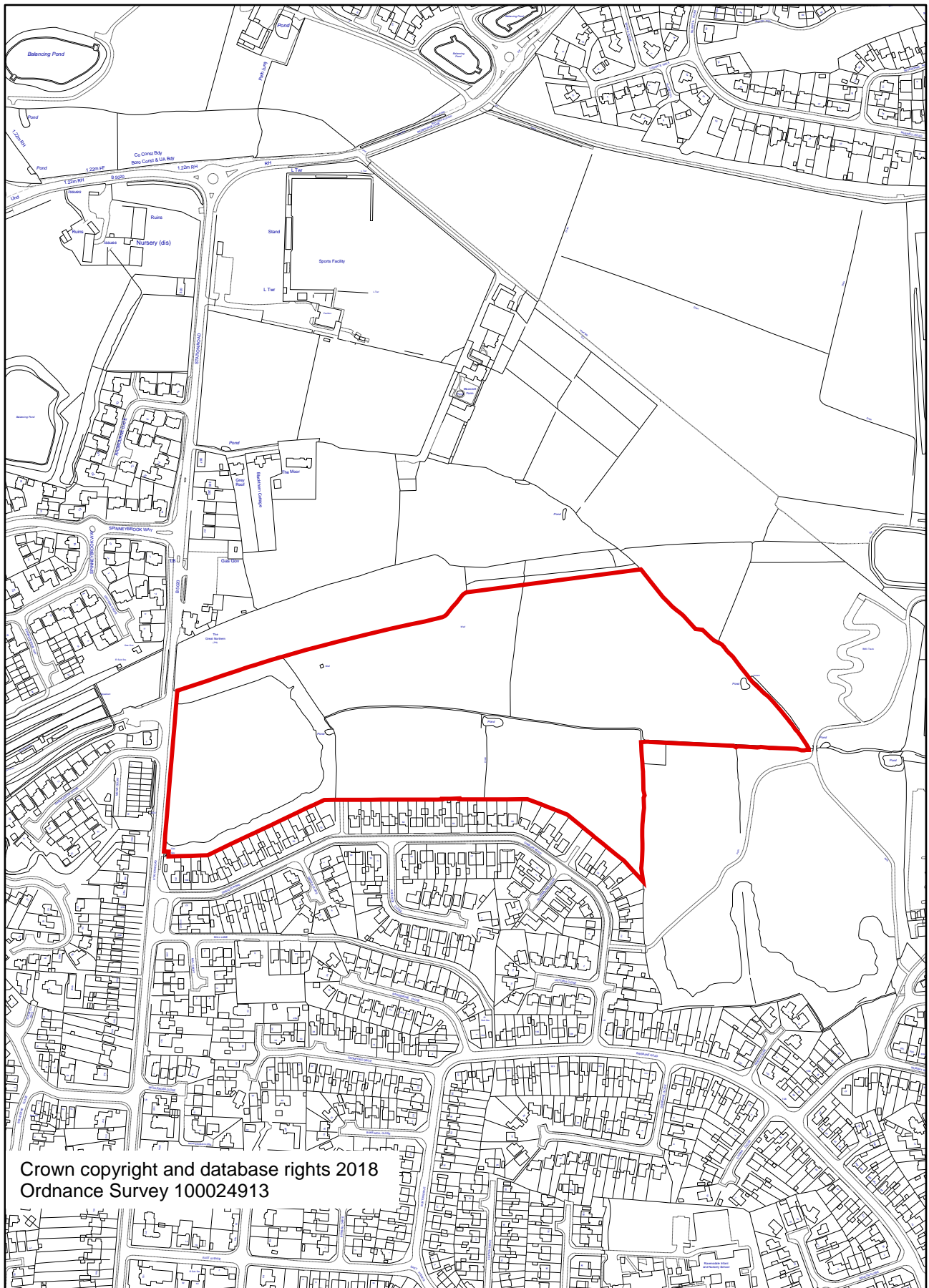
8.6. Application timescale:

The target date for determination was the 22 August 2019. It is being brought to committee due to number of third party objections and an extension of time for a decision date will be agreed with the applicant.

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Type: Hybrid Application
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1. Application Details

1.1. Address: Land north of Snelsmoor Lane, Chellaston

1.2. Ward: Chellaston

1.3. Proposal:

This is a HYBRID application seeking permission for the following:

- **Outline Permission** for residential units up to 800 dwellings (Use Class C3), with all matters reserved except access to be fixed off Snelsmoor Lane and Field Lane, a sustainable drainage system of attenuation ponds/swales, new primary school (Use Class D1) with playing field alongside open space including creation of a country park (including footpath/cycleways, play spaces, wildflower meadows, public orchards and Green Infrastructure network).
- **Full Permission** for 245 dwellings (Use Class C3) including site roads, infrastructure, landscaping, attenuation ponds and play areas.

1.4 Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/04/13/00351>

1.5 The Application Site and Surroundings

1.5.1 The new development is to be known as 'Snelsmoor Grange', located on land to the north of Snelsmoor Lane and south of Field Lane at Boulton Moor, Derby. The site abuts the City Council's boundary with South Derbyshire District Council (SDDC). The site measures 66.07 hectares and lies outside of, but adjacent to, the built up areas of Chellaston to the west) and Alvaston (to the north). The site comprises a series of agricultural fields and derelict farm buildings. The site gently slopes from a high point in the south, adjacent to Stubble Close Farm, towards the north east part of the site. The site is crossed by a series of existing hedgerow and various services including overhead electricity cables, pylons and telephone wires and underground sewers.

1.5.2 Snelsmoor Lane runs to the south of the site and links Chellaston (A514) with the main Thulston A6 roundabout junction. To the southwest is Chellaston Park, which provides grass pitches, recreation and leisure facilities. To the west is a recent housing development, Fellow Lands Way, built by the same developer. Adjoining the site to the north is Field Lane Community Centre and Field Lane Football Club, accessed off Field Lane. This facility includes grass pitches and a play area, part of the Field Lane Playing Fields. North of the playing fields are allotments. To the north west of the site is the Noel-Baker Community School and Language College. To the east of the site, within the SDDC area is another proposed housing site, known as "Boulton Moor 2". The National Cycle Route 6 provides a linkage from the north east to Chellaston.

1.6 The Proposal

1.6.1 The proposal was initially submitted in 2013, in response to a draft allocation in the then emerging Local Plan and has undergone a lengthy period of negotiations and

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amendments. The current proposal is a hybrid application comprising both an outline element (for the whole site) and a full element (for 2 phases of housing development). The whole scheme comprises up to 800 residential units, a country park and primary school. Access would be from a new roundabout on Snelsmoor Lane, to the south, and from an extension of Field Lane, to the north. The proposed country park would form the retained green wedge and be located between the proposed housing and the recently completed Fellow Lands Way development to the west. The whole development will be set within the context of a series of footpath/cycleways, play spaces, wildflower meadows, public orchards and Green Infrastructure network.

1.6.2 The proposal forms part of a wider Sustainable Urban Extension, which includes several development sites at Boulton Moor, within SDDC, accessed from the A6 Thulston roundabout.

1.6.2 The earlier submissions established the proposal as Environmental Impact Assessment (EIA) development, such that the amended application was accompanied by an Environmental Statement (ES). The application incorporated a new ES, reflecting the amended development, having scoped the requirements through the above pre-application discussions. In addition to this, a comprehensive range of updated technical documents were submitted. These include a Transport Assessment, Travel Plan, Drainage/Flooding Strategy, Acoustic design Statement, Air Quality report, Geo-physical survey, landscape and visual assessment, arboricultural assessment, archaeological report, and a site waste management plan. A raft of amended plans and documents were submitted in November 2018. Further amended documents have been submitted, primarily to clarify matters and to address concerns raised by consultees.

1.6.3 Of the proposed 800 dwellings, the application as originally submitted included 27% affordable housing. Dwelling types for the full application Phases 1 and 2 include a mixture of 1-bed units (6%), 2-bed terraces/semis (17%), 3-bed Semis/detached (36%) and 4-bed detached houses (41%). The south part of the site, accessed from a new roundabout off Snelsmoor Lane, would serve Phases 1 and 3 of the proposed housing; and local and neighbourhood play areas. Phase 1, comprising 167 dwellings, is to be considered as part of the full application. The north part of the site, accessed from Field Lane, Alvaston, would serve Phases 2 and 4 of the proposed housing; the proposed primary school and an area of land set aside for potential future school expansion; an area of public open space; and an attenuation pond. Phase 2, comprising 78 dwellings, is to be considered as part of the full application.

1.6.4 The developers of both the Snelsmoor Grange application site and the adjoining Boulton Moor 2 site have jointly prepared a Development Framework document (DFD). The Executive Summary of the latest version outlines the following integrated vision for Boulton Moor, stating;

“This document sets out a holistic vision for the wider cross boundary allocation at Boulton Moor to create a distinct new sustainable urban extension on the edge of Derby City. The development of the site should respond to a set of development themes.

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Character and Identity

- *Respond to and reinforce local landscape character of the site, whilst generating a unique sense of place;*
- *Create a series of linked and distinctive spaces; and*
- *Ensure that the scale and mass of the built form maximizes the use of the land and is in harmony with the surrounding character.*

Permeability and Legibility

- *Promote accessibility and local permeability by making places that connect with each other and are easy to move through, giving pedestrians the priority over traffic;*
- *Promote legibility through the provision of recognizable routes, intersections and landmarks to help people find their way around;*
- *Provide traffic calming measures and reduce vehicle speeds within the development;*
- *Achieve a hierarchy of spaces each with their own distinctive character.*

Continuity and Enclosure

- *Promote the continuity of street frontages and enclosure of space by development to clearly defines the public and private areas; and*
- *Ensure that all public space is overlooked by buildings to provide a safe and secure environment.*

Housing Needs

- *Provide housing that is robust and adaptable to changing requirements; and*
- *Provide a wide variety of dwelling types, including a range of tenure and price to provide a mixed and balanced community.*

The Heart

- *A new district centre including a bus hub as a key to connectivity to cater to local needs;*
- *New primary schools will be provided in accessible locations serving the development as a whole; and*
- *The development will be well connected to the wider vehicular network, providing excellent opportunities for walking, cycling and using local bus services including routes through the new development.*

Open Space Strategy

- *Sensitively designed around the existing landscape;*
- *Create a network of easily accessible and well-connected open spaces with links to existing spaces and routes; and*
- *A proposed Country Park providing a network of footpaths and cycleways, a community orchard and play areas.*

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Public Realm

- *Develop all spaces and routes with high quality hard and soft landscape and ensure that these are attractive, safe and work effectively for all sectors of the community; and*
- *Create legible walkable neighbourhoods with a hierarchy of streets within the site.*

Sustainability

- *Encourage sustainable living through the layout of the scheme in terms of transport, energy use, water use and use of materials; and*
- *Enhance the overall value of the development and create positive social, economic and environmental benefits”.*

1.6.5 As part of the design process a Concept Masterplan has been prepared for the site-wide outline planning application. This has been based on the evidence gathered through the assessment of the site and using good design principles. This Concept Masterplan will be used to guide the reserved matters applications which will be submitted for each future phase of the development. The design parameters are shaped by good design principles and define the access and movement, the scale and massing, the density, the character and the landscape proposals of the site-wide development proposals.

1.6.6 The submitted Design & Access Statement explains the rationale behind the proposal, stating;

“The underlying concept for the wider site is to respond to the site’s existing assets by maintaining and enhancing the existing hedgerows and trees into a series of green corridors through the development area and create a new country park.

The country park will be located to the west of the site taking advantage of the views to Noel-Baker Community School in the north west and back out to the rolling countryside to the south east. Locating the country park here maintains the current perception of a separation of the settlements of Chellaston and Boulton Moor. This country park will be accessed from Chellaston and the Fellow Lands Way development via the existing PRoW and new footpaths to be provided along green links through the site to the Boulton Moor Phase 2 development proposed to the east.

A new primary school will be located at the edge of the country park, further widening the perception of the green space in this location by including its play facilities on the edge of the country park and contributing toward the resulting Green Wedge. The school building will utilize the existing footprint of Boulton Moor Farm and provide a visible edge defining the northern green corridor of the country park. The school will be accessed from a new junction off Field Lane together with a limited number of residential properties. There will be no private vehicular link between this access and the main access to the south off Snelsmoor Lane; although pedestrians and cyclists will be able to move freely between the two and an emergency access will be provided for emergency vehicles.

To connect the site, access can be provided from Snelsmoor Lane through to the Boulton Moor Phase 2 development to the east creating a gently curving tree lined

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avenue with trees set within a verge. An additional vehicular connection is provided to the south of the site, increasing the permeability between the developments. An internal hierarchy of routes and spaces will link to 'rural lanes' and private drives to the avenue and allow further green links through open spaces alongside the retained hedges. The whole of the Green Infrastructure proposed is intended to create a permeable and legible series of routes clearly connecting the country park back into the development.

Water attenuation areas, in the form of shallow basins, are included to provide a sustainable drainage system as well as enhancing the biodiversity and ecological activity of the surrounding area. These ponds are located to the north and south of the site on the lowest ground and will provide significant landscape features at the entrance to the site. The ponds will be linked by a series of swales running north to south within a green corridor along the eastern boundary of the site. Ditches will be maintained and enhanced to allow water to drain naturally and better than at present to help further reduce the risk from extreme flooding events. Further water attenuation areas will also be provided in the country park.

Key spaces will be defined by keynote buildings that will help to provide a legible street pattern to aid people's orientation through the site. These spaces generally occur at 'nodes' or where the avenue through the development meets with the green corridors or where existing trees and vegetation are retained as part of the public realm. Keynote buildings will be ones that are defined by their enhanced architectural treatment, materials or scale.

Three residential character areas are therefore created by virtue of the site's characteristics and position within the overall context of the locality. These character areas are: Avenue, Green Corridors and Country Park Edge."

2. Relevant Planning History:

Application No:	19/00746/FUL	Type:	Full Planning Application
Decision:	Granted Conditionally	Date:	27/09/2019
Description:	Alterations to highway including formation of roundabout in connection with proposed development at Snelsmoor Grange (Code No. 04/13/00351)		

3. Publicity:

- 43 Neighbour Notification Letters
- Site Notice displayed 27/11/2018 (relating to amended plans)
- Statutory Press Advert published 9/3/2018.

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 41 representations were submitted with respect to the original and amended applications. It must be recognised that a large proportion of the objections were submitted in 2013, following the initial submission of the application, and relate to the economic status of the country at that time. One representation was in support. The remainder (several of which were submitted by the same person) were objections, raising the following concerns:

- Proposed Growth Strategy is unsustainable.
- Contrary to the provisions of the Local Plan.
- Would have detrimental impact on the status and character of the green wedge and adjoining Green Belt.
- Further development here cannot be sustained
- Additional housing is not needed in Derby.
- Inadequate proposed infrastructure.
- Insufficient school places, especially for enhanced special needs.
- Insufficient community facilities, such as health centres.
- Proposal would have an unacceptable impact on children's safety, using existing Field Lane community centre.
- Proposals, including loss of hedgerows, would be detrimental to wildlife and protected species.
- Traffic study is out of date and increased traffic will be cause congestion and be contrary to highway safety on Field Lane and Snelsmoor Lane.
- Increase traffic levels will cause noise nuisance.
- Peak hour traffic congestion at Chellaston High Street.
- Would set an undesirable precedent for future development on the green wedge.
- Unacceptable impact of drainage strategy on adjoining existing houses.
- Drainage strategy is inadequate and the overflow from the attenuation ponds would lead to flood risks elsewhere.
- Further housing development will have a detrimental visual impact on the rural aspect of the area.
- Proposed country park would lead to anti-social behaviour.
- Infrastructure improvements to Alvaston local centre are irrelevant will have resultant impact/congestion elsewhere.
- School can be better located elsewhere, with less impact on existing residents.
- Proposed footpaths will be a security risk and cause disturbance to adjoining businesses.

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- Will have detrimental impact on agricultural uses.
 - Development should be planning-lead and brownfield sites should be used for development.
 - Detrimental to the “the already congested village of Chellaston”.
 - Access and drainage arrangements will have a detrimental impact on the field Lane allotments.

Elvaston Parish Council

1. Our main concerns surrounding the proposed development on Boulton Moor:
 - 1) The use of prime agricultural green belt land for building purposes
 - 2) The only entry and exit points to the development are via Snelsmoor Lane which will add significantly to the traffic flow problems around Alvaston and the A50 during rush / peak travelling times
 - 3) Flooding is already an issue in both Elvaston and Ambaston, the removal of natural soak away will add additional pressures to the existing water courses leading to greater flood risk in the area
 - 4) Primary and Secondary schools are already under strain in the area, new primary schools will not be provided until phase two of this plan. The phase one housing (approx. 180 houses) will be built without any additional places available.
 - 5) Local GP surgeries are already under considerable pressure, there are no plans to provide additional resources
 - 6) Currently there is no public transport available in that area.
2. The Parish Council has received numerous complaints over the present Housing Development at Boulton Moor Phase 1 , including: mud and debris from the construction site affecting roads; noise and disruption; Sunday and out-of-hours working; inadequate infrastructure to accommodate more traffic leading to probable congestion; lack of a sustainable drainage scheme; lack of community facilities; and possible damage to property arising from construction vehicles. The present phase under construction comprises 1058 homes; phases 2 & 3 will comprise 890. The Derby City Council proposal adds another 800 houses to this number. Elvaston PC feels that this will only exacerbate the aforementioned problems.

Chellaston Residents Association

As representatives of the residents of Chellaston, we have previously commented on this application when first submitted. We consider that the application is deficient in the following aspects:

1. The access to the site is proposed to be from Snelsmoor Lane (to serve 750 dwellings) to the south and Field Lane, Alvaston (to serve 50 dwellings) to the north. Neither of these are particularly ideally suited to accommodate the additional traffic that will be generated. It is noted that the developer proposes road improvements to Snelsmoor Lane to the east of the development but westwards the extra traffic will only add to the bottleneck which is High Street in

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Chellaston, which is narrow and is usually lined by parked cars, particularly at times when children are going to and coming from school. Congestion will be expected to increase again when the Chellaston Business Park is built which will create employment but generate car journeys. Thus, without carefully thought out mitigation, the addition of this number of additional dwellings would place an unacceptable burden on existing residents. The developer is proposing very basic measures that he believes will deter the new residents from using this route. Policy TI relates to the transport implications of new developments and states that the Council will seek to ensure that the proposed development will not result in increased traffic congestion, have a detrimental effect on the local environment or lead to a reduction in road safety. As a minimum requirement, modifications are needed to control traffic on High Street. We would suggest that, for the narrow inclined section between School Lane and Back Lane, a contraflow is introduced which is controlled by traffic lights with a narrowing of the carriageway. The footpaths could then be widened to give more protection to pedestrians. Between St. Peter's Road and Swarkestone Road, parking restrictions to, and/or widening of High Street are also suggested to ease traffic flow.

2. In view of the fact that this development is one of several which will be built alongside Snelsmoor Lane, both within the city boundary and in South Derbyshire, we consider that a more radical solution is required to prevent unacceptable traffic congestion on High Street and Chellaston in general. The solution that we propose is a by-pass for High Street which would skirt around the east and south of the present extent of Chellaston, from the new roundabout which is proposed by the developer on Snelsmoor Lane to the A514 just north of the A50 roundabout. This would provide a better route to the A50 and also to the new Technology Park and industrial areas in Sinfen. It is envisaged that the road could be financed by all the developers as all the new dwellings would benefit from such a road. At the southern end, the road would form the main access for the proposed Chellaston Fields development in South Derbyshire. A possible route for the road is appended.
3. The proposed housing will put further pressure on the infrastructure and facilities in Chellaston which will be the closest centre. This includes Infant, Junior and secondary schools which are already over-subscribed. It is noted that the proposals include the provision for a primary school within phase 2, but not a secondary school. Should permission be granted, it would be essential for the primary school to be built as soon as the first properties are completed and not when hundreds of homes have been built, which may take many years. An adequate contribution should also be made to secondary education and a site chosen for a new school to serve these new developments at an early stage. Otherwise it is inevitable that children will be taken by bus or other forms of transport to their educational establishment, which is not environmentally attractive and would add to congestion.

We believe that this development will have a severe impact on Chellaston, and hence we OBJECT to this application

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Raybould & Sons

I note with interest that planning application DER/11/14/01569 in respect of the demolition of three outbuildings and the residential development of one dwelling was refused on the following grounds:

‘In the opinion of the Local Planning Authority, residential development on the application site would be visually intrusive and have an urbanising effect on this central part of the Chellaston Green Wedge, which would thereby undermine the distinct visual gap between ‘The Winnatts’ and the adjoining openness of the Green Wedge.’

If this is the response in respect of a single dwelling on the edge of the Green Wedge, how is it that the above application for 800 dwellings is still being considered as being appropriate.

It will cut a much larger hole in the Green Wedge and will see a traditional winding country road turned into a straightened modern roadway with a traffic island. How much of a departure is that from the protection of the character of the area which has already been marred by development at the southern end of Snelsmoor Lane.

Whilst I appreciate that the Council cannot currently demonstrate a five year supply of housing in the city, the character of Chellaston is rapidly disappearing and the loss of this open green area and the brutalising of Snelsmoor will be all but the final nail in the coffin.

I implore you to refuse planning permission on this occasion.

5. Consultations:

5.1. DCC - Highways Development

Comments:

1) Introduction

The above site is part of a wider urban extension that includes an application in South Derbyshire to the east of Snelsmoor Grange for 700 dwellings, known as Boulton Moor Phase II. A Development Framework Document (DFD) has been produced by the developers, which sets out a holistic approach to how the two developments will be integrated. From a transport perspective this includes a network of highway, cycle and pedestrian routes to ensure connectivity for public transport and sustainable transport modes between the sites and to the existing transport network. The urban extension and DFD also includes Boulton Moor Phase I, which is in South Derbyshire and directly joins Boulton Moor Phase II, and was granted planning permission in 2009 for 1050 dwellings. Around 400 dwellings of Boulton Moor Phase I have now been complete.

There is also a further Phase for 190 houses to the north of Shardlow Road, which includes the fields between the Keldholme Lane estate and the A6 Alvaston Bypass, known as Boulton Moor Phase III. This phase of the urban extension is also within South Derbyshire and currently a planning application is not expected to come forward within the near future.

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The Snelsmoor Grange application also includes a new primary school for 420 pupils to the north west of the site and 28.7 hectare country park and playing fields to the west of the development site and Chellaston.

The transport assessment of the above application is complex because the Snelsmoor Grange 800 dwellings forms only part of a larger cross border housing development, the majority of which falls within South Derbyshire. To ensure the impact of the whole housing development is fully understood it has been necessary to assess the cumulative impact of Snelsmoor Grange and Boulton Moor Phase II, which has involved working closely with Derbyshire County Council and Highways England, as roads under their control are also directly affected by the development.

Appendix A provides a drawing of the site in the context of the other developments that make up the Boulton Moor urban extension.

Local Planning Policy

Derby City Local Plan Part 1 – the local plan says the following about the above site in terms of highway related matters:

The Council will require:

- (g) as part of the comprehensive cross-boundary development, an appropriate package of sustainable transport measures, including contributions to the delivery of a new Park and Ride and associated bus service to serve this and wider urban extension site.
- (h) as part of the comprehensive cross-boundary development, appropriate on-site and off site highways works, including improvements to Snelsmoor Lane to ensure the impacts on its junctions with the A6 and High Street are satisfactorily mitigated. Developer contributions toward improvements to the Strategic Road Network may also be required as necessary and appropriate.
- (i) new access points to be created a) to serve the 200 home development off Fellow Lands Way and b) to serve the 800 home development with an access point off Snelsmoor Lane and access routes linking the individual sites within the urban extension, with an additional limited access off Field Lane, delivering well connected, high quality multi modal routes within the wider development;
- (j) High quality pedestrian and cycle routes within the site and links between these and existing or proposed routes and green spaces beyond the site, including the Green Wedge, Elvaston Castle and new /extended schools.

2) National Planning Policy Framework (NPPF)

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

Paragraph 32 of the NPPF says:

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

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- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - Safe and suitable access to the site can be achieved for all people; and
 - Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”
 - the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;

The NPPF has a presumption in favour of sustainable development and consequently is seeking to influence the developer to put in place measures to provide opportunity and to encourage future residents to travel by non-car modes, wherever this is realistic and feasible i.e. measures to encourage walking, cycling and travel on public transport.

Walking – by the very nature of walking, this mode of travel is used for short journeys i.e. to school, to the local shops and for leisure etc. The Manual for Streets (DfT, 2007) promoted the concept of walkable neighbourhoods and these are typically characterised by having a range of facilities within 10 minutes’ walking distance (about 800m) of residential areas. However, 800 metres should not be taken as an upper limit and average walking distances outside of London for education, commuting and personal business are around 1 kilometre.

As such, by the nature of the location of this development on the outskirts of the Derby Urban area, clearly the City Centre is not within what is considered to be a walkable neighbourhood. However, facilities such as the Co-op on Holbrook Road, Co-op and pharmacist on Crayford Road are around 1500 metres (15 minutes) from the centre of the site and just outside of average walk distances. Noel Baker Academy and St Martins Schools are around 800 metres from the centre of the site and within a desirable walk distance.

The DFD identifies the inclusion of a district centre that is likely to include a medium sized foodstore, smaller scale retail/takeaway units, a public house/restaurant, a healthcare Centre and a community use. This is planned to be located within the BM1 site to the north east corner of the urban extension. It is subject to a separate planning application, however, would provide a mix of services and facilities. Again these facilities are around 1.3 kilometres from the centre of the site or around 15 minute walking time. The proposed new primary school to the north west of the site will be around 400 metres from the centre of the site.

Although some facilities are not within a desirable walking distance the DFD identifies a relatively comprehensive network of green links, pedestrian and cycle paths. These will provide linkages across the urban extension to the Country Park and external network through pedestrian and cycle only access points to the Boulton urban area to the north.

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Cycling – Cycling is one of the most sustainable forms of transport, and increasing its use has great potential. To release this potential, highways, public spaces and other rights-of-way need to be organised accordingly.

Generally 80% of cycle journeys are less than 8 kilometres and 40% less than 3 kilometres. As such, there will be more opportunity to reach the planned district centre and local facilities outside of the development by cycling. Further, Route 66 provides an off road link to Allenton District Centre and a direct route to the City Centre via Pride Park and the riverside route. The development proposes shared pedestrian and cycle links through the site linking into Field Lane, and segregated links across the site feeding into Boulton Moor Phase II and west to the country park and National Cycle Route 6.

Public Transport – Derby City Council and Derbyshire County Council has had extensive discussions with the developers of Boulton Moor Phase II and Snelsmoor Grange to provide a bus service to serve the whole urban extension. However, there is uncertainty over the phasing of the two development sites and therefore the level of passenger demand over the short term. As such, the developer for Snelsmoor Grange has agreed to enter into a service level agreement with a bus operator to deliver a bus service for a seven year period. The provision of public transport to serve new development is always a matter of compromise. To encourage new residents to use public transport it is best to provide a bus service for the development as early as possible. Equally however to make the best use of the available funding it is preferable not to have buses running empty. In this particular case it is likely the developer will extend an existing service. It is suggested that the service will start at a frequency of two buses per hour on the occupation of the 250th dwelling and depending on patronage build-up the frequency to three buses per hour on the 600th dwelling. The final details of the bus service will need to be agreed.

Travel Plan – A Residential Travel Plan will be provided for the development. The draft travel plan includes a number of initiatives to support sustainable travel. For example, through the Travel Plan Bellway Homes and Clowes Developments will fund the provision of two 4-week adult bus tickets per household, for use with an appropriate service provider. These tickets will to enable residents to experiment in using public transport. The travel plan will be secured through the Section 106 Agreement.

It is considered that the applicant has done as such as can reasonably be expected to make this site sustainable. However, it should be noted that this development is on the edge of the urban area and that occupiers will be potentially attracted to the site because of its location next to the Strategic Road Network.

- Safe and suitable access to the site can be achieved for all people; and

The initial 245 dwellings included in the full detail planning application will be served by a roundabout on Snelsmoor Lane, shown for indicative purposes only on Drg No T13001 SK04. Ultimately the baulk of the development, around 670 dwellings, will be served off this access. Snelsmoor Lane to the east of the new junction will be re-aligned to improve safety and sight visibility. The majority of the new junction and re-alignment improvements are within Derbyshire County Council's administrative boundary and outside of the jurisdiction of Derby City Council. As such, the access

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and re-alignment of Snelsmoor Lane will be constructed by Derbyshire County Council under a S278. The highway access and improvements were part of a separate planning application that was granted approval in September 2019.

The remaining 130 dwellings and the proposed new primary school will be served from an extension and improvement to Field Lane, which for indicative purposes only are illustrated on Drg No T13001 SK12. Field Lane, between Field View and the new access road to the development, will be improved and a discussion has been had with the developer to provide a 5.25 carriageway and 3 metre shared cycle and pedestrian footway. The development will be a cul-de-sac serving a maximum of 130 dwellings and a primary school. There will be no vehicular link between the development off Field Lane and the development off Snelsmoor Lane.

The mechanism to deliver the highway links between the developments will be secured by condition and a legal agreement between the two developers.

It is concluded that the developer has provided a safe and suitable access for all modes of transport.

- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

NPPF is suggesting the impact of the residual trips (i.e. the remaining car trips after travel by other modes has been taken into account) should be mitigated as long as it is affordable in the context of the value of the development. The Government does not define ‘severe impact’. DCC takes the view that in this context ‘severe’ can relate to congestion, but definitely relates to safety.

Existing Network

The majority of Boulton Moor Phase II and Snelsmoor Grange will be served Snelsmoor Lane, which is a classified route between the A514 and London Road and the A6(T). Snelsmoor Lane is within the Derbyshire County Council’s administrative highway area, basically from the junction with Acrefield Way east. The road is mainly rural in character and the horizontal alignment is poor in some places. As such, the road alignment will be straightened out to improve safety and visibility sight lines. As

Traffic will only have two route choices into the development. From the west via Chellaston and the High Street signalised junction, which is already constrained and suffers from peak congestion. As such, slow moving queues form on the High Street in both the weekday AM and PM Peaks. This is as a result of the signal junction but also because of the narrow character of the road through Chellaston village centre, which in some places is further narrowed by on-street parked cars. The alternative route will be from the east and London Road and the A6 Trunk Road. The A6(T) provides a connection to the A52 to the north and A50(T) and M1 to the south. The junction of Snelsmoor Lane/London Road is a priority roundabout and currently suffers from congestion and queuing in the AM And PM Peaks. In particular, in the south bound direction in the AM Peak, when outbound traffic from Derby queues back along London Road.

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With only two points of access for the 1500 dwellings that make up Snelsmoor Grange and Boulton Moor Phase II, HDC has always had a concern that a significant amount of development traffic will route through Chellaston Village and the High Street, particularly if the London Road/Snelsmoor Lane Junction is already congested. This would be unacceptable for Derby City Council because of the impact on amenity in Chellaston District Centre and the fact that the A514/High Street Junction cannot be improved. As a consequence, rat running is likely to increase on routes such as St Peters Road. As such, HDC has pushed for a strategy to improve the London Road/Snelsmoor Junction to make this the main access point onto the wider highway network from the Boulton Moor urban extension. Further, that traffic is discouraged from using the High Street route through some form of none physical traffic calming.

Transport Assessment

Traffic Generation – The predicted trip generation of any particular development is obtained from a national database of traffic surveys called 'TRICS', which is the industry standard methodology. Using the 85th%ile rates shown below, the 800 dwellings proposed at the above site is likely to produce approximately 550 additional two-way trips in each peak hour (see Table 1 below). The primary school is also included in the trip generation table. However, it should be noted that they are low in the PM Peak because generally schools finish around 3:00 pm and the PM Commuter Peak is 17:00-1800. Further, there will be some linked tips with the people travelling to work and dropping their children off on the way. This has also been taken into account in the trip generation.

The 85th%tile rates represent the worse case scenario, and through the provision of the bus service and walking and cycling routes, there is an expectation that traffic generation will be lower. Further in providing a primary school and district centre as part of the urban extension it is also expected that the demand to travel outside of the development will be reduced. For example, residents from the development will use the district centre for convenience shopping rather than Chellaston Village or Alvaston District Centre.

Table 1	AM (0800-0900)			PM (1700-1800)		
	In	Out	Total	In	Out	Total
<i>Snelsmoor Grange Housing off Snelsmoor Lane</i>	106	315	421	279	178	457
<i>Snelsmoor Grange Housing off Field Lane</i>	21	61	82	54	35	89
<i>Primary School off Field Lane</i>	31	20	51	1	3	4
Total Trips	158	397	555	335	216	551

Total Including Boulton Moor Phase II	296	727	1023	627	402	1029
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Table 1: 85th Percentile Trip Generation for Development Off Snelsmoor Grange

Trip Distribution – the transport assessment has been undertaken using the Derby Area Transport Model (DATM). This is a strategic transport model of Derby City and the surrounding area. The trips summarised in Table 1 were applied in the model. As such, the model generally provides a good indication of the distribution of traffic

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generated by the development. Appendix B provides the predicted distribution of the development traffic from DATM for the weekday AM Peak (0800-0900) and the PM Peak (1700-1800).

Traffic Impact – The DATM model predicts that around 11% of the development traffic will use the High Street and Chellaston route in the AM Peak (0800-0900) and PM Peak (1700-1800). The remaining 89% will use the Shardlow Road and A6(T) route to the east. From the Snelsmoor Grange development only, around 300 vehicles are predicted to travel along Shardlow Road to and from the City Centre direction in each of the AM and PM Peaks. Around 180 are predicted to travel to and from the A6(T) Alvaston Bypass direction in each of the AM Peak and the PM Peak. This equates to a split of 55% to and from the City Centre direction and 34% to and from the Trunk Road Network and the A6(T) and A50(T).

From the combined Snelsmoor Grange and Boulton Moor Phase II development, 606 vehicles are predicted to travel along Shardlow Road to and from the City Centre direction in each of the Am Peak and the PM Peak. Around 300 are predicted to travel to and from the A6(T) Alvaston Bypass directing in the AM Peak and the PM Peak. A small amount of traffic, around 90 vehicles, is predicted to travel through Chellaston during the morning and evening commuter peaks.

The DATM model predicts that the largest impacts are going to be on the Snelsmoor Lane/Shardlow Road junction. Further, that development traffic will add to traffic on the London Road Corridor and Alvaston District Centre. As a consequence of this the developers propose the following off-site highway works.

Shardlow Road / Chellaston Lane/A6(T) Thulston Roundabout off-site highway improvements (Highways Agency Drawing DE-C-004 & DE-C-001) - To seek to mitigate the additional traffic impact the developers are proposing to provide a major traffic signal scheme at the junction of Shardlow Road/Chellaston Lane (Snelsmoor Lane). This will form the main access to the wider highway network, as well as providing controlled crossing points for cyclists and pedestrians.

One of the major issues in this location is a traffic queue forms on the A6(T) Thulston Roundabout during the morning peak, which backs up past the Shardlow Road Roundabout and along Shardlow Road. This problem is as a result of the speed of the circulating traffic on the Thulston Roundabout reducing the efficiency of the junction and the ability of drivers from Shardlow Road getting onto the circulatory. In order to resolve this and ensure that traffic does not queue back into the signal junction of Shardlow Road/Chellaston Lane, the developer is proposing partial signalisation of the A6(T) Thulston Roundabout. Further, the capacity of the link between the two roundabouts and hesitant not resolved then the

It should be noted that this scheme is wholly within Derbyshire County Council's administrative area and that the A6(T) Thulston Roundabout is on the Trunk Road Network and the responsibility of Highways England. It is likely that the County Council will deliver the whole scheme under a S278 with permission from Highways England. As a note to the applicant, it is advisable that the detail design is agreed with the relevant highway authorities and the S278 agreement process started in good time before the first trigger point is reached.

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Alvaston District Centre off-site highway improvements (Drawings T13058 11 to 14) - To seek to mitigate the additional traffic impact the developer is proposing to provide a scheme to signalise the Blue Peter Island and London Road Island in Alvaston District Centre. This will improve the capacity of the network by moving traffic through Alvaston District Centre more efficiently, coordinating the control of the heaviest flows and removing delays caused by gap delays at the existing priority give ways. Further, the signals will provide improved facilities for pedestrians and be linked to the other pedestrian signal crossings so that they can be coordinated.

The northbound exit lane on London Road and the westbound exit lane on Harvey Road will also be widened to two lanes. This is an important part of the scheme because currently traffic queues on these roads reduce the speed and exit capacity of traffic leaving Alvaston District Centre.

Trigger Points and S278 - The Alvaston District Centre and Shardlow Road/Chellaston Lane/A6(T) Thulston Roundabout schemes represent a significant off-site infrastructure package to deliver. As such, a set of trigger points has been agreed with the developer that corresponds to the phasing of the development and impact on the highway network. The scheme will be delivered by condition through a S278 and the following trigger points will be included:

- Alvaston District Centre off-site highway improvements – Occupation of the 100th Unit.
- Phase 1 Shardlow Road/Chellaston Lane/A6(T) Thulston Roundabout off-site highway improvements – Widening of link between A6(T) Thulston Roundabout and Shardlow Road Roundabout. Occupation of the 50th Unit.
- Phase 2 Shardlow Road/Chellaston Lane/A6(T) Thulston Roundabout off-site highway improvements – Construction of the signalised junction at Chellaston Lane/Shardlow Road and the partial signalisation of the A6(T) Thulston Roundabout. Occupation of the 570th Unit.

Whilst it is considered that the submitted designs are acceptable in principle, both layouts will require being refined at detailed design stage. It should be noted that under the terms of the S278 agreement DCC reserves the right to undertake the detailed design of the traffic signal layouts, within its jurisdiction.

S106 – DCC as local highway authority has agreed with the developer a £30,000 contribution for the cycle link between the development and the National Cycle Route 6. Further, that a £30,000 contribution has been agreed to implement the traffic calming scheme on the High Street. It would also request that the time limit of the contribution be set at 10yrs to cover the public transport issue raised above.

Conclusion – NPPF says, “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.” The question therefore is, does the additional travel demand likely to be produced by the above development make the existing situation on these routes so bad that this or any other development producing similar levels of traffic should be resisted.

DCC acknowledges that the development site is part of a wider urban housing extension that will be served off Snelsmoor Lane. Routes into the City and on the High Street through Chellaston Village are already congested. The developer has

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put forward a significant package of off-site works to mitigate the impacts of the development. This includes a strategy to discourage traffic through Chellaston Village, though a traffic calming scheme, and to provide significant improvement in capacity on the Shardlow Road/Chellaston Lane/A6(T) Thulston junctions to encourage development traffic to use this as the main access route to the highway network.

Further, the developer will provide a network of pedestrian and cycle routes through the development and prioritised links to the external network to encourage integration and use of sustainable travel modes. The developer will also make provision for public transport to penetrate the site and provide residents with infrastructure within a 400 metre walk distance. They will also financially support the delivery of a bus service with a minimum initial frequency of two buses per hour. These physical measures will be supported by a travel plan and initiatives to discourage single occupancy car trips.

It is considered that with the proposed off-site improvements and non-car mode initiatives, that the developer has mitigated their impacts as far as is reasonable possible.

Suggested Conditions and Notes

1) Prior to development commencing.

Prior to any development commencing within the application area;

- a. a suitable access to accommodate construction traffic into the site shall be provided in accordance with the Highways Design Guide, details to be submitted to and approved in writing by the LPA;
- b. A wheel washing facility designed in accordance with details to be submitted to and approved in writing by the LPA shall be fully operational;
- c. Details of the Construction Management Plan including routing for construction traffic has been submitted to and approved in writing by the LPA.

Reason: In the interests of highway safety.

2) Prior to occupation of the development.

- a. Details of the proposed bus stop locations, and type of equipment i.e. bus shelters, raised kerbs and real time information to be provided on Kedleston Road has been submitted to and approved in writing by the LPA.
- b. Details of the delivery of the measures as set out in the Framework Travel Plan by Travis Baker shall be submitted to and approved in writing by the LPA.

Reason: To ensure a sustainable development.

3) Phasing

Prior to any development taking place on the site the phasing of the development shall be submitted to and approved in writing by the LPA;

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4) Site Access

- a. No occupation of the 130 dwellings until the access improvements on Field Lane, shown for indicative purposes only on Drg No T13001 SK12, is completed. The access improvements shall be constructed in accordance with details to be submitted and approved in writing by the LPA.
- b. No development shall take place off Snelsmoor Lane until the access roundabout and re-alignment scheme, shown for indicative purposes only on Drg No T13001 SK04, is completed. The access improvements shall be constructed in accordance with details to be submitted and approved in writing by the LPA.

Reason: In the interests of highway safety.

5) Off-site Works

- a. Prior to the occupation of the 100th dwelling the proposed traffic signal and widening scheme at the junction of Blue Peter Island and London Road Roundabout as shown for indicative purposes on drawings T13058 11 to 14 shall be constructed to the satisfaction of the LPA in accordance with details to be submitted and approved.
- b. Prior to the occupation of the 50th dwelling the proposed widening scheme between A6(T) Thulston Roundabout and Shardlow Road Roundabout as shown for indicative purposes only on Highways Agency Drawing DE-C-004 shall be constructed to the satisfaction of the LPA and Highway England in accordance with details to be submitted and approved.
- c. Prior to the occupation of the 570th dwelling the proposed signalisation scheme at the junctions of Chellaston Lane/Shardlow Road and the partial signalisation of the A6(T) Thulston Roundabout indicative purposes only on Highways Agency Drawing DE-C-004 and DE-C-001 shall be constructed to the satisfaction of the LPA and Highways England in accordance with details to be submitted and approved.

Reason: To ensure the free and safe flow of traffic and pedestrians.

6) Bus service

- a) Prior to the occupation of the 100th Dwelling on the approved development (Snelsmoor Grange), the applicant shall enter into a minimum Service Level Agreement (SLA) with an operator to deliver a bus frequency of two buses per hour Monday to Saturday (6am-7pm) and hourly off-peak (Monday-Saturday 6pm-11pm and Sunday 9am-11pm). This SLA shall be submitted to and approved by the local planning authority and include a route map of the service to be provided, the length of the SLA and the maximum value of the bus service. This service, as set out in the approved SLA, shall be in operation prior to the occupation of the 250th dwelling and shall provide a service for all dwellings within a maximum 400 metre footway walk distance. Prior to the occupation of the 600th dwelling on the approved development (Snelsmoor Grange) or the 1000th dwelling across the whole urban extension, whichever is the earliest, the frequency of the service shall be increased to three buses per

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hour on-peak, unless patronage assessments, directly provided by the bus operator to the local authority, show that an increased frequency would not be viable and that this is agreed in writing by the local planning authority. The service shall provide for all dwellings within a maximum 400 metre footway walk distance.

Notes to Applicant

- 1) The above conditions require works to be undertaken in the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. In order for these works to proceed, you are required to enter into an agreement under S278 of the Act. Please contact Robert Waite Tel 01332 642264 for details. Please note that under the provisions of S278 Highways Act 1980 (as amended) commuted sums will be payable in respect of all S278 works.
- 2) For details of the Highways Design Guide and general construction advice please contact Robert Waite Tel 01332 642264.

5.2. DCC – Land Drainage

I have reviewed the latest drawings submitted for this application on the 4th Nov 2019. Although there has been a substantial improvement in the level of detail provided over the course of the last few months there are still some issues that have not been fully resolved as follows:-

- i) The FRA relies on a number of watercourses to manage the flood risk on the site. The latest layout appears not to preserve one of these critical watercourses along the eastern boundary of the school site. This casts doubt on the whether the flood risk management proposals in the FRA can be fully implemented on site which is a cause for concern. Resolving this matter may require a revised FRA or alteration to the proposed site layout.
- ii) It is proposed as part of the FRA to regrade some watercourses to provide better flood risk management. There will be a requirement to maintain these features so access to the watercourse needs to be preserved. Plans have been submitted to demonstrate how these watercourses will be regraded and maintenance access preserved however there is still a lack of detail in some areas. Where the public have easy access to the watercourses there could be safety issues if the watercourse banks are too steep. Risk assessments will be required in areas where there are footways or highways in close proximity to the water courses.
- iii) A sustainable drainage design has been submitted and details for the main balancing features and proposed sewer network have been provided and are generally acceptable in principle. However the SuDS proposals rely on both highway and plot level SuDS features. These features will be developed during the detailed design. So a planning condition should be imposed to agree these measures.
- iv) We have raised concerns regarding the SuDS feature in South Derbyshire that forms a key part of the SuDS features for the development. The attenuation feature as it currently stands manages both the attenuation for the drainage

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system for Snelsmoor Grange but also manages surface runoff for the green fields to the west of Snelsmoor Grange as well. This is not the preferred method of managing water as it can lead to confusion of the function and status of the feature. It is also not clear that the feature will provide sufficient water treatment for the drainage system before it enters the wider water environment. I have been working with the developer to look at alternatives but these have not yet been fully developed.

- v) The proposed school extension site is shown to be at flood risk. At present topographical elevation, this site would be unsuitable for a school extension on grounds of flood risk. If this site is raised however, flood risk will increase elsewhere and therefore this is unacceptable. This land as it stands is only suitable for playing fields unless a flood risk management scheme is brought forward.

It would be far more preferable to resolve some of these issue prior to full planning permission being granted however I understand that there is pressure to bring this development forward. Should the decision be, to grant planning permission I would ask that the following conditions be imposed so that the issues can hopefully be resolved in due course. However it should be noted that the layout in certain areas may need to be amended if a solution cannot be found.

Conditions

1. Prior to any earthworks being commenced on site detailed plans shall be submitted to and approved in writing by the local planning authority of all flood attenuation features and watercourse regrading proposals outlined in the "Land off Snelsmoor Lane, Boulton Moor, Derby, Derby Modelling Study" date July 2019 (or subsequent revisions) which forms part of the FRA. The plans should identify:-
 - a. Measures for erosion protection and revegetation of the watercourses that are being regraded.
 - b. Full planting details of the flood attenuation basins.
 - c. Protection zone for all watercourses to ensure that wildlife corridors are maintained and a minimum 3.5m wide maintenance bench is maintained at the top of bank. The maximum gradient of the maintenance bench shall be no greater than 1 in 10.
 - d. Full details of proposed flow control devices.

Reason: To ensure full proposals are developed in detail to ensure flood risk is not increased elsewhere in accordance with paragraph 115 of the NPPF.

2. No culvert shall be constructed until detailed proposals and plans have been submitted to and approved in writing by the local planning authority. The proposals should:-
 - a. Identify exceedance flood routes and demonstrate that no properties will be inundated should blockage occur.
 - b. Demonstrate that there is adequate safe access to ensure that the headwalls can be maintained and any blockages cleared.

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- c. Proposal to ensure all headwalls are safe.

Reason: To ensure that the culverts can be maintained to reduce the residual risk from blockage has been considered in accordance with Paragraph: 041 Reference ID: 7-041-20140306 of the PPPG.

3. Prior to the commencement of any development on the site, including any groundworks, a construction management plan shall be submitted to and approved by the local planning authority providing details of the construction sequence. The plan shall demonstrate that flood risk is not increased during the construction phase and outline measures to minimise erosion and manage the mobilisation of silt off site.

Reason: To ensure flood risk is not increased elsewhere during the construction phase of the flood risk management features, in accordance with paragraph 115 of the NPPF.

4. For each individual phase of the development, no building foundation will be started until plans have been submitted to and approved writing by the local planning authority to demonstrate that all buildings shall have finished floor levels set at least 600mm above 1 in 100 plus a suitable allowance for climate change flood level for all flood risks in accordance with the Flood Risk Assessment.

Reason: To ensure the development is flood resilient in accordance with paragraph 163 of the NPPF.

5. For each individual phase, no development will be constructed until a surface water drainage strategy has been submitted and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The strategy shall include:-

- A sustainable drainage solution,
- Proposals to comply with the requirement of the Non-statutory technical standards for sustainable drainage systems (March 2015) and The SuDS Manual (CIRIA C753),
- Provision to ensure surface water run-off from the developed site is no greater than the Q_{bar} the mean annual average flood flow rate for a rural catchment.
- Calculations to demonstrate that the no flooding to properties will occur from the drainage system for the 1 in 100 plus an allowance climate change rainfall condition.
- Provision of appropriate levels of surface water treatment,
- Provision to ensure that all open water features can be safely incorporated within the public open space.
- A positive contribution to biodiversity and amenity.
- Proposals to ensure the exceedance flows from any private drainage network will not cause property inundation.

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Reason: To comply with DCC Core Principle CP2 and paragraph 165 of the NPPF.

Note to the developer:- It is understood that the SuDS attenuation features located in South Derbyshire are proposed to offer both attenuation and water treatment of the drainage system, for the development in Derby. As such they will be an important consideration in approving the SuDS condition above. The structure appears to accept surface runoff flows from the large green field area to the west of the development as well as water for the drainage system. There are concerns that the current proposal for this structure may not provide sufficient water treatment for the development and lead to higher volumes of water being passed forward during lower rainfall events. Consideration of separation of the SuDS element and the water for the surface runoff should be considered to ensure that the system will form an acceptable part of the SuDS treatment train for the development in Derby.

6. Prior to the sale of any property, full details of the maintenance requirements for the all flood risk management structures, weirs and flow control devices, watercourse and SuDS drainage features together with the financial arrangements for such management shall be submitted to and approved by the LPA.

Reason: To ensure flood risk is not increased due to lack of maintenance and the SuDS feature are fully maintained in accordance with paragraph 163 and 165 of the NPPF.

7. Prior to the school extension site being brought forward a flood risk management scheme shall be submitted to and approved in writing by the local planning authority to demonstrate that flood risk is not increased elsewhere.

Reason - The school extension site is identified in the FRA as being located in an area of high flood risk and obstruction to flow or ground raising in this area could lead to an increase in flood risk. The condition is therefore required to ensure flood risk is not increase elsewhere in accordance with the NPPF paragraph 155

5.3. Environment Agency

We have reviewed the submitted documents and on this occasion the Environment Agency will not be making any formal comment on the submission for the following reason(s):

There are no environmental constraints associated with the application site which fall within the remit of the Environment Agency. The Lead Local Flood Authority, in this instance, Derbyshire County Council, should be consulted on the proposals for their requirements regarding the disposal of surface water arising from the development.

5.4. Highways England

The Highways Agency (the Agency) are in receipt of a re-consultation on a planning application dated 25 February 2015, regarding an outline application for up to 800 dwellings (Class C3), new primary school (Class D1) and a full application for 145 dwellings (Class C3) and associated works, at the above location.

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The Agency previously responded on this application with no objection subject to proposed improvements at the Shardlow Road/Snelsmoor Lane junction being as per Drawing Number T13058-008 provided by Travis Baker.

We are now in receipt of a re-consultation on the application, where the only change likely to affect the Strategic Road Network (SRN) is the lengthening of the left turn lane from Shardlow Road into Snelsmoor Lane, moving this approach closer to the A6 Thulston roundabout. Following consideration and review, we are content with the slightly amended improvements to the Shardlow Road/Snelsmoor Lane junction, and do not consider that any significant capacity and safety issues will arise.

Therefore, based on the above, I have attached an amended TR110. It is recommended that a condition is attached to any permission granted to ensure that proposed improvements to the Shardlow Road/Snelsmoor Lane junction includes for the merge configuration outlined in Drawing Number T13058-008-RevB.

TR110

Referring to the notification of a planning application dated 8th April 2013, your reference DER/04/13/00351/PRI, in connection with the A50, Land off Snelsmoor Lane, Chellaston, Derby, notice is hereby given under the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Secretary of State for Transport:-

... c) directs Condition(s) to be attached to any grant of planning permission:

The proposed improvements to the Shardlow Road/Snelsmoor Lane junction shall include for the merge configuration at the A6 off-slip merge outlined in Drawing Number T13058-008-RevB provided by Travis Baker on behalf of the applicant.

Reason for the above condition(s):

To ensure that the A6 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

5.5. DCC – Conservation officer

These comments are made in the light of the relevant National and Local Planning Policy such as the Planning (Listed buildings and conservation area) Act 1990, NPPF and The City of Derby Local Plan Review (January 2006) including policies E18, E19, E20, E23, E27, H1, H13, R1 and R2.

General

This is generally an area of open farmland with tall hedges. There are a number of historic buildings located within the site. The site does not impact upon designated heritage assets.

Comments

In general this is an area of open farmland with hedges. It also contains a heritage asset namely Moor Farm. This is a 19th century farm building of lesser quality. It is of 2 storeys in a poor brick with a number of single storey extensions. It does not appear to have any features of interest. There are also a number of barns in an L

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shape in brick and concrete block. The L shape barn element opposite the farm house would appear to contain some features of the original building such as brickwork and headers above the opening. These would appear to have been constructed as cheaply as possible with little reference to design or decorative features. On the 1901 OS Map there are barns extending west from the farm house, these have been removed in the intervening period. As with Boulton Edge Farm (App 01/13/00082) the structure is of lesser quality and much altered. It would not appear to have any features of interest. It is not of listable or local listable quality. There is a lack of detailing and the brickwork appears to be of a poor quality and alterations have taken place. Given its poor quality and being of a 19th century date we would not object to its demolition were it not able to be incorporated within the proposed scheme. However we would recommend that a photographic recording takes place and that this is deposited within the Derbyshire HER so that the evolution of the site can be examined by future generations.

In relation to the other heritage asset adjacent to the site (End Cottage) we believe that this is a more important heritage asset and should be carefully incorporated within the scheme. There is the prospect that this building could be of local listable quality at some point in the future. Therefore we would not support the demolition of this structure as it is of a higher quality of construction and appears to be of a slightly earlier date than the other farm buildings affected. As such we would recommend that the streetscape of the proposed development respects and responds to this building.

Recommendation: We would not object to the proposals. Photographic recording of Moor Farm to be undertaken and deposited with Derbyshire HER before works begin on site. End Cottage should be carefully incorporated into the streetscape of the new proposal.

Comments on amended scheme:

The revised scheme has addressed the main heritage concerns by omitting End Cottage and its site. The loss of Moor Farm was conceded previously but the previous recommendation for some photographic recording prior to demolition still stands. The county HER should have a standard brief available for such work.

Conclusion:

The scheme is considered to accord with the objectives of the NPPF and Policies E19 of 2006 City of Derby Local Plan Review and C20 of the 2017 Derby Local Plan Core Strategy.

Recommendation:

No objection subject to recording condition.

5.6. English Heritage

The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

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5.7. DCC – Public Health

Theme and Planning Issue	Concern	Mitigation Required
1. Healthy Housing Healthy Design (1a) Accessible Housing (1b)	Drawings illustrate a space lift. Unclear whether large enough for ambulance trolley.	Developers to ensure lift space large enough to accommodate an ambulance trolley with paramedics
2. Active Travel Promoting walking and cycling (2a) Connectivity (2c) Minimising car use (2d)	No mention of cycle parking or cycle storage for residents or primary school staff. Park and Ride mentioned but no timescales confirmed. Existing bus services good but long distance from development to access service. Unclear whether controlled parking zones, car free development and car clubs will be implemented.	Developers to address concerns.
3. Healthy Environment Air Quality (3b)	The site falls within two Air Quality Management Areas (AQMA) declared by Derby City Council. The proposals talk about mitigation by phased building; however it is unclear how the developers will seek to mitigate their Air pollution caused by site traffic and building work. Reducing the effect of dust, unclear to what extent the application will follow best practice from institute of air quality management. http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf	Developers should consider further methods to mitigate Air pollution (e.g. use of Low emission vehicles). Unclear whether urban greening (3J) (Roofs and walls covered in plants, street trees and small pocket parks in between buildings) is planned. The application should be explicit about ways they will mitigate dust pollution e.g: <ul style="list-style-type: none">• Using water sprays or sprinklers to keep• the dust down during activities such as• filling skips, breaking concrete and• managing stockpiles.• Washing the wheels of vehicles leaving• the site, if they are carrying mud or• waste.• Putting up solid barriers around the site.• Properly covering lorries that leave the• site carrying waste.• Cleaning the road and footpath

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Local food growing (3h)	Cannot see anything which references opportunities (other than private gardens) for food growing, for example, allotments, community gardens and green roofs.	<p>near the</p> <ul style="list-style-type: none"> • site entrance when needed. • Using dust bags, spraying water or, when using disk cutters, making the working area wet before using the machinery. <p>Consider provision of allotments space and incorporating food growing opportunities into the design of this development.</p> <p>Consider adapting design to facilitate creative use of roofs, walls and balconies where gardens are not provided.</p> <p>Consider landscaping with edible plants instead of trees or shrubs.</p> <p>As per DEFRA's guidance (Food, 203) 'an increased amount of land, and infrastructure such as soil quality, [should be] allocated for fruit and vegetable production in planning proposals.</p>
Urban greening (3J)	Unclear whether urban greening (roofs and walls covered in plants, street trees and small pocket parks in between buildings) is planned.	Consider urban greening using productive plants which will also improve local food growing (3H).
4. Vibrant Neighbourhoods		
Healthcare Services (4a)	<p>It is not known whether primary care (in particular health visitors, school nurses, GPs, dentists and ophthalmology services) or secondary care have capacity for increased population. It is unclear whether any of the service providers have been consulted in the planning process to enable them to incorporate these proposals within their workforce development plan.</p> <p>It is not known whether the developers will be financially contributing towards the additional healthcare resources required to support an increased population.</p>	The developers should ensure that health inequities and inequalities are not exacerbated by the increase in population in this area.
Education (4b)	Application discusses support for the development of a new primary school and extending a secondary school if required. The application does not mention preschools or nurseries.	Developers should consider whether there will be adequate capacity for population at existing pre-schools and nurseries.
Access to social infrastructure (4c)	Application does not explicitly mention a community centre, however it has been	Developers should ensure that the improved community centre is

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Local Employment and Healthy Workplaces (4d)	confirmed that the developers are going to improve a community centre easily accessible by residents. Application does not mention any employment opportunities for residents, other than during the building phase.	accessible, user-friendly and able to cope with increased demands of users. It may be useful for developers to look at the potential of incorporating a community library within the new plans of improving the nearby community centre.
Access to Local Food Shops (4e)	It may be useful for developers to look at the potential of incorporating a community library within the new plans of improving the nearby community centre.	The development of the site should provide employment opportunities for local trades people, e.g. builders, joiners, carpenters, electricians, plumbers. Further clarification required regarding provision of local food shops which are easily accessible by the residents.

5.8. DCC – Housing Strategy

Strategic Housing are pleased to see the provision of affordable housing within this proposed development. There is an evidenced need for all tenure types throughout the City to provide balanced and sustained communities. We look forward to working with the developer on this and future phases to ensure that housing provision matches housing need.

5.9. DCC - Environmental Protection - Noise

I have reviewed the application information and I would offer the following comments in relation to Noise implications for the development as follows.

1. The development consists of a large number of new residential dwellings (up to 800), new access roads, a school and public open space. The following concerns arise in relation to noise impacts:
 - potential for future occupants of new dwellings to be affected by existing local sources of noise e.g. traffic noise on the A50 or the nearby dog kennels (End Cottage Kennels).
 - potential for future occupants of new dwellings to be affected by noise from the proposed new school;
 - potential for existing occupants of nearby dwellings to be affected by noise from the proposed new school;
 - potential for existing occupants of nearby dwellings to be affected by noise from the proposed new access roads;
 - potential for existing occupants of nearby dwellings to be affected by noise from increases in traffic volumes as a result of the development; and

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- potential for existing occupants of nearby dwellings to be affected by noise from construction works associated with the development.
 2. In support of the application, noise impacts have been considered within two submitted reports, namely:
 - Acoustic Design Statement (RPS, Ref: AE9254-REPT-01-R0, Dated: 9 February 2018); and
 - Chapter 7 of the Environmental Statement (RPS, Ref: JBB8103.5860, Dated: February 2018).
 3. I can comment on the submitted documents as follows. Since the Environmental Statement effectively provides a summary of the more detailed Acoustic Design Statement (with the exception of construction noise, which isn't considered in the ADS), the following comments focus primarily on the latter report.
 4. You will be aware of comments submitted by the Environmental Protection Team regarding this application in November 2014 and, whilst I would refer you to those comments for reference, please accept the following comments as a replacement for all previous comments on noise regarding this application.

Acoustic Design Statement (RPS, 9 February 2018)

5. The baseline noise monitoring used in the report has not been updated since March 2013. Although there appears to be no particular reason that the local noise environment should have changed significantly since then, given the period of over 5 years that has passed, it would have been preferable to see up to date monitoring reflected in the assessment.
6. Notwithstanding the above comment regarding the relevance of the baseline noise monitoring, the results do appear to suggest relatively low levels of ambient noise across the three monitoring locations used in the survey.
7. Short duration maximum noise levels are suitably considered in the assessment, in terms of the number of exceedances of 60dBL(A)max during the night-time period (11pm to 7am).

Traffic Noise

8. The assessment then goes on to include potential contributions to local noise arising from development-generated road traffic in the future using SoundPLAN (v8.0) modelling software.
9. Based on the additional traffic contributions, the report recommends that acoustic treatment will be necessary in order to satisfy both internal and external noise criteria for dwellings proposed under the scheme.

End Cottage Kennels Noise

10. The report also includes separate consideration of noise for dwellings proposed adjacent to End Cottage Kennels in the north eastern boundary of the development.

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11. The kennels assessment concludes that additional mitigation will be required to protect both internal and external amenity areas in any properties proposed within 20m of the kennels boundary.
 12. Given that this area of the development is only at an 'outline' stage, the report recommends that further consideration will be needed at the detailed design stage.

Noise affecting/arising from the School

13. Although some brief consideration of ambient noise affecting school classrooms (in accordance with BB93 guidance) is mentioned in the report, there is no detailed consideration of potential noise affecting nearby residential amenity from the school's activities e.g. mechanical plant, early morning deliveries or noise from children playing in external play areas/sports pitches.
14. It is acknowledged that such details are hard to assess at this 'outline' stage and therefore further detailed assessment will be required at the detailed design stage.

Noise Mitigation Proposals

15. `Following consideration of various mitigation options, the following mitigation proposals are recommended in the report:
 - A 3m high barrier/bund between Snelsmoor Lane and the dwellings proposed closest to Snelsmoor Lane;
 - 1.8m high garden fences;
 - Three different window and ventilation specifications for proposed dwellings in accordance with Table 4.1 and Figures 6, 7 and 8 in the report;
 - Enhanced insulation for dwellings within 20m of End Cottage Kennels;
 - Gardens facing away from the direction of End Cottage Kennels or additional boundary fencing for dwellings proposed within 20m of End Cottage Kennels.
 - Construction Noise (Environmental Statement)
16. `Noise from construction is not considered within the Acoustic Design Statement, however a quantitative assessment of noise and vibration construction effects is included within Chapter 7 of the Environmental Statement.
17. `The assessment is based on the reference source levels and methodology in BS 5228 1:2009+A1:2014.
18. `The statement suggests that site hoardings and portable acoustic barriers would be used to reduce noise emissions from the worksite, however in order to be robust, attenuation provided by site hoardings has not been included in the calculations.

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19. `The statement concludes that predicted overall construction noise levels do not exceed 70 dB(A) and hence “this is considered to be of a negligible impact”.
 20. `The statement also concludes that vibration levels from construction activities are unlikely to exceed the values presented in Table 7.2 at the foundations of the nearest residential buildings or commercial units, without the need for mitigation.
 21. `Nonetheless, a Construction Environmental Management Plan (CEMP) is proposed for implementation by all contractors.
 22. `There is reference to Section 7.7 ‘Mitigation Measures adopted as Part of the Proposed Development’, however this Section does not appear in either Chapter 7 of the Environmental Statement, nor does it appear in the related Acoustic Design Statement.

Conclusions and Recommendations on Noise

23. Overall, the submitted information provides a good indication that noise need not be a significant factor when determining the granting of planning permission for the submitted application. I would conclude that the Environmental Protection Team does not object to the application on noise amenity grounds, subject to the following recommendations:
 - Further detailed mitigation proposals should be provided at each detailed design (reserved matters) phase of the development, specifying the mitigation proposed in order to protect dwellings proposed under that phase, in accordance with the mitigation principles set out in the Acoustic Design Statement (RPS, Ref: AE9254-REPT-01-R0, Dated: 9 February 2018);, to be secured by way of condition;
 - A further detailed assessment of the potential for residential noise amenity impacts arising from activities associated with the proposed school at the detailed design (reserved matters) stage, with any proposed mitigation implemented in full before the school becomes operational. In particular, noise arising from mechanical plant, outdoor play areas, sports pitches/MUGAs and deliveries will need to be considered in detail.
 - The submission of a detailed Construction Noise Management Plan, for agreement with the LPA before the development can commence.

5.10. DCC - Environmental Protection – Air Quality

I have reviewed the application information and I would offer the following comments in relation to Air Quality implications for the development as follows.

1. The application includes proposals for a large-scale residential development (up to 800 dwellings) and a school. Consequently, there is potential for significant increases in local road traffic volumes.
2. The application is supported by an Air Quality Assessment (RPS, Ref: JAR10231, Dated: 12 February 2018), with further discussion on air quality implications within Chapter 11 of the submitted Environmental Statement.

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3. can comment on the assessment and ES as follows.
4. The Environmental Statement provides an overview of air quality impacts based upon the findings of the separately submitted Air Quality Assessment (RPS). Given that the Air Quality Assessment provides a greater level of detail than the ES, I do not intend to comment separately on the ES and will instead focus the following comments on the more detailed AQ Assessment.

Air Quality Assessment

5. The assessment focusses on three main potential air quality impacts arising from the development proposals, namely:
 - Construction-related impacts;
 - AQ impacts arising from the traffic generated by the development upon existing receptors; and
 - AQ impacts that could affect new receptors, primarily new residents introduced into the area via the new housing.
6. In order to assess operational impacts, the assessment states that it follows IAQM/EPUK Guidance, which I note contains an appropriate methodological approach for the circumstances.
7. Construction impacts have been assessed using IAQM Construction dust guidance.

Construction Impacts

8. The IAQM dust risk categories have been used to determine a suite of site-specific dust mitigation measures to be employed throughout the construction phase.
9. The demolition/construction risk assessment is discussed in Section 5 of the report. The assigned classifications appear reasonable.
10. The report states that the overall risk for the site as a whole, is classed as 'medium', concluding that any impacts will be rendered insignificant, provided that a package of mitigation measures are employed. The mitigation measures are detailed in Section 7.
11. The proposed measures appear reasonable and should be detailed within a construction dust management plan, to be implemented throughout the demolition and construction phases of the development.

Completed Development Impacts

12. The ADMS-Roads software has been used for the dispersion modelling presented in the report.
13. A modelled baseline year of 2016 was utilised, in conjunction with a with/without development future year scenario of 2026 (assumed to be the opening year of the completed development).

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14. The modelling uses traffic data for a number of road links (identified in Table 3.1 of the Report). The report states that the modelled receptors were “selected at properties where pollutant concentrations and/or changes in pollutant concentrations are anticipated to be greatest”. Existing high concentrations of air pollutants does not therefore form part of the receptor selection process, with only two receptors modelled within Derby City Council’s declared AQMAs. Importantly, I note that locations predicted to exceed the EU Limits for annual average NO₂ (as identified by DEFRA within the 2017 National AQ Plan) have not been modelled.
 15. The report confirms that the latest version of the Emission Factors Toolkit (v8.0) was used in the modelling, however it is unclear which emission factors were used when modelling the 2026 scenarios. Given the widely accepted optimistic fleet turnover figures utilised in EFT for future years, it is deemed pragmatic to model future years using both the future year factors but also using the base year factors, for comparison.
 16. Assuming that the 2026 EFT emission factors were used in the future year modelling, it is important that the model is re-run using 2016 emission factors to ensure that the modelling is robust.
 17. Tables 6.1, 6.2 and 6.3 provide the results of the NO₂, PM₁₀ and PM_{2.5} modelling at existing receptor locations, both with and without the development, in the predicted future opening year of 2026.
 18. The modelling suggests that contributions from the development will be relatively small (maximum of 0.9µgm-3 at 129 Shardlow Road and also Woods Meadow), with all receptors predicted to experience concentrations well below National AQ Objectives in 2026, with or without the development.
 19. The report concludes that operational air quality impacts arising from the development can be described as ‘negligible’ for all assessed pollutants.
 20. Table 6.4 details the predictions for NO₂, PM₁₀ and PM_{2.5} concentrations at proposed new receptors i.e. new residential dwellings proposed as part of the development.
 21. The report concludes the overall effect of the development to be ‘not significant’.
 22. Given that optimistic emission factors have been assumed for 2026 modelling and the impact of the development-generated traffic upon DEFRA’s nationally predicted exceedance locations (using PCM Modelling) has not been modelled, I do not agree that such a conclusion can currently be reached.

Conclusions and Recommendations on Air Quality

23. Whilst the current assessment is broadly indicative of a low AQ impact, I would strongly advise that further modelling is undertaken to provide a greater level of confidence for the report’s conclusion that impacts are ‘not significant’.
24. In particular, the impacts upon air pollutant concentrations within the Council’s nationally predicted exceedance locations need to be considered, since any increases in NO₂ along those road links may serve to undermine the Council’s

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current attempts to comply with European and National Air Quality Limits, for which there is currently a legal requirement to take action.

25. The updated modelling will therefore need to include:
 - Re-modelling of the future year scenarios (with/without the development) using 2016 fleet assumptions and emission factors;
 - Additional modelling to ascertain potential increases in NO₂ at nationally-modelled exceedance locations, namely Stafford Street and Traffic Street on the Derby Inner Ring Road.
26. In the mean-time, I would conservatively recommend that a condition is attached to the consent, should it be granted, requiring the submission of a detailed Air Quality Mitigation Plan for agreement by the LPA.
27. Examples of mitigation could include (but not be limited to):
 - Measures to encourage the uptake of low emission vehicles for example electric vehicle charging points serving dwellings of the development;
 - Measures to encourage the uptake of active travel such as walking and cycling;
 - Measures to contribute to, or assist with developing, the council's existing or proposed air quality improvement measures e.g. those described under any low emissions strategy, air quality action plan or clean air zone plan in place at the time.

I have no other comments to make on the application regarding air quality at this time.

5.11 DCC - Environmental Protection – Contaminated Land

1. Further to my comments of the 16th April 2018, I note that additional details have now been submitted in support of the application, namely:
 - Phase 2 Geo-Environmental Site Investigation Report (RPS, Ref: RCEI25321-003 R Draft, Dated: March 2013); and
 - Gas Addendum Letter for Snelsmoor Grange, Boulton Moor (GRM Development Solutions Ltd, Ref: P6242\GAL, Dated: 4th January 2017).
 - Gas Addendum Letter for Snelsmoor Grange, Boulton Moor (GRM Development Solutions Ltd, Ref: P6242\GAL Rev B, Dated: 2nd July 2018).
2. I can comment on the reports and their implications for the contamination risks arising from the development as follows.
3. Please note that the following comments do not seek to interpret or discuss the suitability, or otherwise, of any of the geotechnical aspects of the site investigation, other than in a land contamination context.
4. All comments relate to human health risks. I would refer you to the Environment Agency for their comments on any conclusions made in the report surrounding

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risks that may exist to controlled waters, since the Local Authority cannot comment on these aspects.

Phase 2 Geo-Environmental Site Investigation Report (RPS, March 2013)

5. The investigation from March 2013 is focussed on the 'Phase I Development Area', an area of approximately 5.68 hectares located in the south-eastern corner of the wider site.
6. The site investigation was carried out between the 19th February 2013 and 22nd February 2013 with gas monitoring taking place throughout February and March 2013. The investigation comprised of the installation of 28 window sample boreholes, 8 gas monitoring wells and the collection of a total of 28 soil samples for chemical contaminant analysis.
7. None of the soil samples revealed concentrations of contamination in excess of any of the screening criteria used in the assessment.
8. Ground gas monitoring was undertaken on four occasions. No methane was detected during the survey and only very low concentrations of carbon dioxide were measured.
9. Based on the gas monitoring undertaken within the survey, no specific gas protection measures are recommended.

Gas Addendum Letter (GRM, 4th January 2017)

10. This Letter comprises the results of a gas monitoring survey completed between October and December 2016.
11. No methane was detected during any of the monitoring and carbon dioxide levels were generally reported to be low across the survey area.
12. The results are indicative of a Characteristic 1 Situation across the majority of the site, concluding that no gas protection measures are deemed necessary. The only exception to this is a section of the site within the central eastern field, where timber and buried topsoil were identified in deep made ground.
13. It is therefore recommended that gas protection measures are required in this central eastern area and subsequently, a plan highlighting this area is appended to the letter.

Gas Addendum Letter (GRM, 2nd July 2018)

14. Although the letter is dated very recently (July 2018), it reports on gas monitoring undertaken between January 2013 and completed in May 2017.
15. As well as the GRM surveys conducted in 2016 and 2017, the letter refers to gas monitoring carried out by RPS in 2013. I suspect that the reference to RPS gas monitoring being completed in March 2018 is a typo.
16. The letter provides a summary of all gas monitoring undertaken at the site by both RPS and GRM with monitoring results included in summary form and also in detailed reports appended to the end of the letter.

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17. The conclusions regarding ground gas risks are identical to those reported in the January 2017 Gas Addendum Letter, namely that the site generally poses insignificant risks and therefore future dwellings should not require gas protection measures, with the exception of dwellings proposed within a marked-out section of land within the central eastern field area on site (in an appended plan).

Conclusions and Recommendations on Contaminated Land

18. The three submitted reports assist in supplementing the earlier assessments and provide additional clarity over potential contamination on site.
19. The reports are thorough and provide a robust basis for development of a remediation strategy for the development site.
20. Further site investigation work is still recommended within the Farm Area in order to ensure that any risks are mitigated against. I understand that this area is located within the proposed school development site.
21. Should planning permission be granted, I would that the following conditions are attached to the consent, in order to protect future site users from any contamination risks on site:
- i) A report detailing additional site investigation works as recommended in Section 10 of the Phase II Site Appraisal (GRM Development Solutions, Ref: GRM/P6242/F.1 Rev A, Dated: March 2017) shall be submitted to the LPA for approval. The assessment shall be agreed in writing with the LPA before the development can commence within the area of the site covered by the investigation works.
 - ii) A Remediation Strategy shall be completed for each phase of the development for submission and approval by the LPA before development on that phase can commence.
 - iii) During the period of construction, should any contamination not previously identified within the agreed Remediation Strategies be encountered, further detailed assessment of the risks associated with that contamination shall be submitted for agreement by the LPA. Any additional remedial measures required in order to mitigate the risks from that contamination shall subsequently form part of the agreed Remediation Strategy for that Phase.
 - iv) All of the agreed remediation measures outlined in the Remediation Strategies shall be incorporated into the development. A Validation Report shall be completed for each phase of the development, in order to demonstrate that the agreed remedial measures have been carried out in full and that the remedial targets have been met. No Phase of the development shall be occupied until such time as the Validation Report pertaining to that Phase has been agreed in writing with the LPA.

5.12 South Derbyshire District Council (SDDC)

With reference to your consultation on the above proposal, I am writing to advise you that South Derbyshire District Council has no objection subject to the following comments being taken into account when, and/or addressed before, reaching a decision:

Snelsmoor Grange is a component of the wider Boulton Moor urban extension to the City, it immediately abutting Boulton Moor Phase 2 – an allocation for up to 700 dwellings within the South Derbyshire Local Plan Part 1. It is necessary to ensure appropriate integration with this adjoining allocation with vehicular and non-modal forms of movement encouraged across an east-west axis to reduce the desire to travel by vehicle and/or along Snelsmoor Lane. A bus service is envisaged in a loop around Boulton Moor and into Snelsmoor Grange. With these points in mind, the fixed access (by way of the full element of the application) to the southern ‘half’ of the site should be protected by condition or obligation to ensure no ransom situation may arise. The same control will be necessary in respect of the northern link to Boulton Moor Phase 2 (although indicative at this stage), and it is noted that the indicative position of this link does not align with the masterplan under the current Boulton Moor Phase 2 outline application (ref. 9/2016/0166).

5.13 Derbyshire Wildlife Trust (DWT)

The Trust previously commented upon an application on the site under the reference DER/04/13/00351 based upon ecological surveys carried out in 2013. The current submission is accompanied by the following updated ecological survey information:

- Chapter 6 Ecology and Nature Conservation of the Environmental Statement Volume 2 prepared by RPS dated February 2018
- Extended Phase 1 Habitat Survey Report prepared by FPCR dated February 2018
- Badger Survey report prepared by FPCR dated February 2018

The updated Habitat Survey identifies the vast majority of the site to comprise arable fields with the Alvaston Stream local wildlife site located immediately adjacent to a small proportion of the northern boundary. Native hedgerows form the boundaries to many of the fields. The desk study has identified the presence of the Boulton Moor Hedges Local Wildlife Site within the site boundary. It is noted and welcomed that the Boulton Moor Hedges local wildlife site is proposed to be retained as part of the development as informal open space and we fully support the recommendation in paragraph 4.6 of the report that the hedges are protected by a buffer of at least 10m width.

We fully support the recommendation in paragraph 4.5 of the report that the development design accommodates a buffer of at least 10m to the Alvaston Stream local wildlife site.

It is understood that many of the features of ecological value will be retained within the design, such as hedgerows and trees, which is welcomed.

The 2018 Badger Survey report provides an update to the badger surveys previously completed in March 2013. Field evidence gathered in 2017 suggests that the site is occupied by a single badger social group centred on a main sett and a nearby

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annexe sett. This situation broadly corresponds to the status identified in 2013. From the submitted plans it is noted that the main sett and annexe sett are located over 100m from the proposed residential development areas of phases 1A/1B and will be within the area of informal open space, which is welcomed. We fully support the recommendation that further badger surveys will be required to determine the status of the other setts present within the area which should be secured as a condition of outline consent in order that the results can inform the reserved n=matters application. Overall we recommend that a condition to secure the following is attached to any consent:

“The development shall be carried out in strict accordance with the Mitigation Strategy for Badgers detailed in section 6 of the Badger Survey report produced by FPCR dated February 2018, including the incorporation of a badger underpass as part of the design of the Snelsmoor Road improvements.”

Any trees to be affected by the proposed development were subject to a ground based assessment on 10th January 2018 to assess their potential to support roosting bats. Two trees identified for removal were considered to have low potential to support roosting bats. We therefore advise that, although no further surveys are considered necessary, precautionary measures should be adopted during felling in accordance with a scheme to be submitted to and approved in writing by the local planning authority prior to the removal of the trees as a condition of any consent. We note and welcome the proposed installation of a range of bat roost features within the development as set out in paragraphs 6.6.92 and 6.6.94 of the Environmental Statement.

Paragraph 6.6.11 of the ES states that the trees within the outline application area were not assessed for their potential to support roosting bats and that this will be carried out as part of any reserved matters application. We would advise the local planning authority that this approach would not enable the planning authority to discharge its duties under the requirements of The Conservation of Habitats and Species Regulations to reach an informed planning decision. *All information in respect of bats as European Protected Species is required prior to the determination of the application, even if it is outline in nature.*

The 2013 breeding bird surveys identified the presence of farmland priority bird species at the site including the ground nesting species skylark and grey partridge. It is recognised that the development will result in the loss of nesting habitat for these species and, as such, compensation will be required to avoid impact upon ground nesting priority bird species. A scheme to create and manage suitable grassland habitat for these species is therefore required either onsite or more likely through off-site provision.

The updated report confirms that the barn supporting a pair of breeding barn owl at Moor Farm was demolished in 2013 to prevent vandalism. It is understood that, to compensate for the loss of the barn owl breeding site, several barn owl boxes are to be installed at the site during 2018 in the west and south of the site away from the development. It is important that confirmation of their installation together with the location details are provided in order to ensure that they are not compromised by this current application.

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In the interests of biodiversity we would advise that the following conditions are attached to any permission:

Ecological Design Strategy

“No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Details of both retained habitats and newly created habitats including hedgerows, wildflower meadows, balancing ponds and swales
- b) Identification of green corridors
- c) Locations and specifications for a range of bird and bat boxes to be incorporated within the scheme to include the installation of boxes in the fabric of the new houses for bats, house sparrow, swift and starling.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Construction Environmental Management Plan

“No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (to include consideration of lighting).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.”

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Landscape and Ecological Management Plan (LEMP)

“A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.”

A condition to avoid harm to nesting birds is also required, specifically taking into account the potential presence of ground nesting species within the arable fields as follows:

“No works shall take place shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds’ nests across the site immediately before work is commenced and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.”

Comments on Environmental Statement Addendum:

In our previous comments on the above planning application provided in correspondence dated 4th January 2019 we requested that an ecological assessment of the additional area of land that has been included in the scheme should be provided.

We have now considered an ES Addendum v1 dated 02 May 2019 prepared by rps submitted in support of the scheme.

The Addendum presents the results of a site survey of the additional 1.22ha of land to the west of Field Lane proposed to accommodate on-site drainage attenuation.

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The site survey was completed on 4th March 2019 and identified the additional land to comprise a grassland field supporting species-poor semi-improved grassland with two hedges on the eastern and southern boundaries. Scrub is present on the northern and western boundaries and a cluster of Ash trees to the north.

It is understood that the hedgerows are to be retained within vegetated buffers and a sustainable drainage feature formed in the east of the field.

On the basis of the information provided in the Addendum we advise that there are no additional significant ecological impacts associated with the inclusion of the additional land within the scheme.

5.14 Natural England

Summary of Natural England's advice

No objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Natural England's advice on other natural environment issues is set out below.

Boulton Moor Site of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

5.15 Derbyshire County Council Archaeologist:

The proposal site is a previously undeveloped area of c64ha, currently in agricultural use.

The archaeological potential of the site can be characterised as follows:- the margins of the Trent Valley/Derwent Valley river systems are less well understood than the archaeologically rich gravel terraces of the river valleys themselves - although this may be due as much to a lack of sustained fieldwork as to a lack of evidence. Where sustained fieldwork has taken place in the area, however, it does suggest a less intensively-used landscape in prehistory, with smaller-scale foci of activity. Evaluation trenching at Noel Baker School, to the north of application boundary, identified small pits of early Bronze Age date, perhaps representing low-intensity seasonal use. Rather more intensive evidence for prehistoric activity is known to the southeast of Chellaston, c1.2km to the south, where a cropmark settlement site is scheduled (HER 27701) and further evidence of prehistoric and Romano-British occupation has recently come to light through evaluation.

The applicant has carried out a geophysical survey of the site which has identified a wide range of potential archaeological features, including some potential hotspots such as a possible prehistoric/Romano-British occupation site in the central part of

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the proposal area. Any such archaeological remains could prove to be very significant in forming a more detailed understanding of prehistoric activity in this under-investigated part of the landscape. However, the applicant does not provide the results of field evaluation trial trenching to test and confirm the potential hinted at in the geophysics results, without which the significance of these remains cannot be understood, as is required by NPPF para 128.

I recommend therefore that at present the submission does not meet the requirements of NPPF para 128, that the significance of heritage assets be established. In order to meet these requirements, the applicant should commission a programme of archaeological trial trenching to establish the significance of those features identified in the geophysical survey, and submit the results to the local planning authority for consideration before determination of the application.

I should be re-consulted once this additional material has been submitted. In the meantime I maintain a holding objection to the application on grounds of non-compliance with NPPF para 128.

Further Comments on amended submissions:

The applicant has carried out geophysical survey (detailed magnetometer) of the whole site, which has identified areas of probable prehistoric activity within the area shown as a 'country park' on the site masterplan. Some other possible archaeological features have been picked up in the proposed housing areas, but there is no indication of dense or complex activity here.

To validate the geophysical survey the applicant has also commissioned archaeological trial trenching of the area proposed for full planning consent. This has shown that the geophysics is essentially accurate in this area, with no significant archaeological interest beyond some very truncated gullies with abraded and possibly residual Roman pottery.

I feel on balance that the applicant has carried out sufficient pre-determination survey to characterise the archaeological resource, as required by NPPF para 128:

- The landscape does not appear to have been densely occupied, in contrast with the nearby Trent Valley gravels;
- One or two settlement foci are present, within areas proposed as a 'country park'. There is every reason to suppose that these areas of high archaeological potential could be preserved in situ through sensitive landscaping proposals. This could be secured by condition.
- The rest of the landscape appears 'empty' on geophysics, with a few scatters of potential archaeological activity. Experience on the neighbouring Boulton Moor site suggests that there will be evidence for prehistoric and Romano-British land use – pit alignments, ditches, droveways, etc – not picked up by geophysics. These features could easily be identified by a conditioned programme of trial trenching followed by strip-and-record of significant areas.
- The area proposed for full planning consent has been evaluated, is of very little significance, and requires no further work,

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I recommend that further archaeological work is justified under the provisions of NPPF para 141, and that this should be secured through planning conditions in relation to the areas of outline consent. An evaluation phase of proposed housing areas should take place in advance of a reserved matters submission for each phase; any further work required would take place before commencement of development. In the 'country park' areas a 'statement of archaeological mitigation' should be submitted, detailing how the proposed landscaping scheme seeks to avoid archaeological impacts in sensitive areas.

The following conditions should therefore be attached to any planning consent:

- "a) No phase of the development shall commence until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-commencement element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation
 7. Where applicable, provision for archaeological remains to be preserved in situ within landscaping of 'country park' areas.

The evaluation stage of each phase shall be completed before the submission of a reserved matters application for that phase."

- "b) No phase of the development shall take place other than in accordance with the archaeological Written Scheme of Investigation for that phase approved under condition (a)."
- "c) No phase of the development shall be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured."

I will be responsible for monitoring the conditioned work on behalf of the local planning authority, and the applicant/agent should contact me in the first instance for advice on the production of the written scheme of investigation.

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Final Comments:

The site has been subject to geophysical survey, with archaeological evaluation trenching of the area previously proposed for detailed consent.

I summarised the archaeological potential of the site in substantive comments dated 26/09/2014, and recommended that further archaeological work at each phase should be undertaken through planning conditions.

The most significant change in the current amended application is that the area for detailed consent has been expanded, to include the areas shown as 'Phase 1' and 'Phase 2' on the amended red-line boundary plan. Only Phase 1 has been subject to evaluation trenching thus far.

I am however satisfied on the basis of the geophysical survey that the archaeological potential within the 'Phase 2' detailed area can still be addressed through the conditioned phased approach recommended in my previous comments, with evaluation trenching followed up by pre-commencement mitigation excavation as required.

I therefore confirm that my previous recommendations in terms of methodology and condition wording still stand.

5.16 Police Liaison Officer

The outline proposals must ensure the built environment and all dwellings are safe and secure for all tenures. All areas should have good natural surveillance by having house types with main habitable rooms facing the street providing an active edge. Ponds and play areas also should be overlooked for safety and security of children playing within the development especially when the areas contain water run off.

Permeability has a direct correlation with crime and ill thought out links with excessive permeability that do not have a destination or purpose, only aid the criminal. (see link above for latest academic research on permeability) The NPPF asks that we make places better for people and provide safe, accessible environments, Safe must be a priority over ease of access, but unfortunately this is not always the case.

Defensible space and adequate setbacks for all housing are essential to provide much needed privacy and security to the front of dwellings. Local Policy H13 asks for privacy and security and without a setback of at least 2m, this cannot be reasonably achieved. Front garden semi private space and its maintenance also encourages greater social cohesion and neighbour interaction, resulting in less crime and social cohesion as well as when planted, greening up harsh building lines. I support the use of vertical treatments to clearly define these spaces in line with Building for Life 2012 recommendations

Access to the rear of higher density housing is a problematic area and without thought of function can design in crime opportunity. If up to 85% of forced entry dwelling burglaries occur after access has been gained to the rear of a property, it is essential that this space is secure and private and not easily accessible. Instead of myriads of close boarded fencing runs, taking up valuable rear garden space, a house type with shared through ginnel access is far safer and more secure, for

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terrace type housing blocks, and ensures rear space is private by establishing back to back private space for all tenures, not just the higher value private dwellings, as is the norm. Shared access paths to private spaces gives rise to many complaints and arguments between neighbours over obstruction with bins , bikes and insecurities that leave not just one property open to crime but all properties become vulnerable by the irresponsible actions of one. Where these paths back onto similar paths up to 3m of space width with 3 rows of unsustainable fencing can give unseen access and crime opportunity to 6 or more dwellings and wastes rear garden space, which is often minimal, and should never join up giving two directions of access (As in example in full application plots 105 106, 112,113)

Designers produce high density, functional housing, but it seems rear access for bins etc is still an afterthought. Where they cannot be avoided then all gates must be robust in materials, un-climbable in design and have key locking from both sides. This ensures access can be gained and they can be secured from either direction, when leaving or entering by the, something a padlock and hasp on the inside cannot obviously do but they are still fitted as a solution. This is one reason bins are left on streets or remain unsightly in front gardens, where they are also an increasing arson risk.

Swales and ditches can be effectively used as symbolic barriers and to define areas and edges of footways from semi private space. Left over green space without clear ownership or obvious purpose can become a source of anti social behaviour particularly where developments connect to other developments or primary movement links. These areas seem to be natural meeting points for nuisance not natural meeting points for social interaction and cohesion.

Parking courts have been avoided on Phase 1 and should continue to be treated as an exception, again to reduce crime opportunity and unseen access. I am pleased to see that in this out of Town location parking levels are at 200% which should help remove some of the on path street parking obstructions and dangers that are experienced on many new developments.

Policing resources are not infinite and good layouts where crime and disorder has been considered are proven by research to have less impact on the stretched resources of the emergency services. New Police Stations and Police officers to cover the ever expanding Derby suburbs are not funded by developers contributions, as are Schools health and other facilities, and design can play its part in reducing crime and by not building in easy ,crime opportunities, through rear unobserved footpaths, open uncontrolled access, unobserved parking areas and blank sterile elevations.

Local policy E24 is dated and does not take full account of the requirements of new legislation post PPG1 and the later Safer Places guidance. The NPPF has the relevant articles to promote safe and secure designs and layouts for housing, footpaths and safe movement connections. All issues around the adverse effect of crime and disorder in existing neighbourhoods are all issues that can be effectively reduced by good quality design and by learning from recent past mistakes.

In summary, I have no objections to the outline proposals. The full application has good levels of natural surveillance over the street, footpaths and amenity areas and

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adequate parking provision for safety and security. Rear access is essential but requires the design of suitable house types for higher density dwellings and terrace style blocks, using through building ginnels or gaps between dwellings, not around them from unobserved space. This would be a far safer, more secure and sustainable solution and remove the reliance on others for the safety of all the individual rear private spaces.

Minimum "Secure by Design" crime resistant physical security standards (see link) are also essential to ensure all premises including dwellings and Schools are safe from opportunist crime, at all times.

Comments on amended plans:

Nothing to add to prior comments in respect of the outline masterplan.

In respect of phases 1 and 2 for full determination I consider that the layouts proposed, housing mix and treatment, boundary treatments and landscaping are all generally acceptable with some minor additions and alterations.

The dual aspect Bosworth, Willesley, Bidford and Hawthorne house types form excellent outlooks on most key corner plots.

There are several other plot elevations which face parts of the site such as open space or footpaths, where an outlook would be beneficial, but currently there are untreated side elevations. In these cases I'd ask that an additional window or windows are added. In some cases this will require handing of plots.

Where there is shared garden access with elongated routes which turn corners, I would advise that communal gating should be added from a position which is open to the street. This would be key lockable from both sides. Possibly a matter which could be conditioned on approval. More detailed comments are given with respect to specific plots.

5.17 DCC - Strategic Asset Management & Estates

I have reviewed the application information and have no comments to make in connection with the Strategic Asset Management & Estates function.

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)

AC23	Areas of Change - Boulton Moor
CP1 (a)	Presumption in Favour of Sustainable Development
CP1(b)	Placemaking Principles for Cross Boundary Growth
CP2	Responding to Climate Change

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CP3	Placemaking Principles
CP4	Character and Context
CP6	Housing Delivery
CP7	Affordable Housing
CP16	Green Infrastructure
CP17	Public Green Space
CP18	Green Wedges
CP19	Biodiversity
CP21	Community Facilities
CP22	Higher and Further Education
CP23	Delivering a Sustainable Transport Network
CP24	Transport infrastructure
MH1	Making it Happen

Saved CDLPR Policies

GD5	Amenity
H13	Residential Development – General Criteria
E13	Contaminated Land
E17	Landscaping Schemes
E21	Archaeology
E24	Community Safety
L4	New or extended public open space
L5	Outdoor Recreation
T10	Access for Disabled People
T15	Protection of Footpaths, cycleways etc.

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_2017.pdf

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

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

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. Background information and Planning policy implications

7.2. Proposed Masterplan and Detailed Layout

7.3. Highways

7.4. Site drainage/flood risk

7.5. Education

7.6. Public Transport

7.7. Cross-boundary issues

7.8. Detailed issues relating to the Full Application element

7.9. Other Technical Issues

7.10. Viability and Section 106 Contributions

7.1. Background information and Planning policy implications

7.1.1 The site is located in the south west of the City Council, between the suburbs of Alvaston and Chellaston. It forms part of a proposed cross boundary “sustainable urban extension” allocating a total of some 2,700 homes as set out in the City and South Derbyshire’s respective Local Plans. The application site forms the east part of an allocation in the Derby City Local Plan Part 1– Core Strategy Policy AC23 (Boulton Moor).

7.1.2 The Local Plan allocation includes approx 800 new homes as an urban extension to the south of Field Lane, Alvaston - known as “Snelsmoor Grange”. The Local Plan expects new development in this area to deliver significant new green infrastructure within the retained area of Green Wedge between the housing site and the existing development to the west (off Fellow Lands Way).

7.1.3 The Core Strategy policy requires:

- High design standards, delivering integrated cross-boundary growth.
- The principle of a country park in the retained “green wedge” and other green space improvements.
- Cross-boundary sustainable transport measures, including new pedestrian/cycle routes.
- Delivery of a new primary school.
- Comprehensive cross-boundary flood mitigation measures.

7.1.4 This is one of the largest single housing allocations in the Local Plan and the Council are heavily reliant on it to be able to demonstrate housing delivery both in terms of

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maintaining a 5 year supply of deliverable housing sites but also critically in meeting our overall Local Plan housing target of 11,000 homes (2011-2028).

7.1.5 In the Council's housing trajectory, this site has been anticipated to deliver 800 homes allocated (effectively reflecting the extent of the live application) between 2020 and 2028. Without effective progress on delivering these homes, either by the developer or through Council intervention, the Council risk falling behind with anticipated delivery and having the real prospect of not being able to deliver on the majority of the site within the plan period.

7.1.6 The application was originally submitted in 2013, in advance of the Local Plan allocation being confirmed through the adoption of the DCLP1 Core Strategy in January 2017. Council Officers have worked with developers and landowning interest on this site over a number of years to try and secure progress on this site. Negotiations have been ongoing to bring forward a successful solution, primarily due to the need to agree cross-boundary highway mitigation with the adjacent authorities (SDDC and County), developers on both sides of the City boundary and Highways England. A comprehensive raft of amended documents was submitted in Spring 2018, in an attempt to achieve an approval.

7.1.7 A Development Framework Document (DFD) and Concept Masterplan has been submitted, in line with the provisions of Core Strategy Policy AC23. The proposed site area is 67.28 hectares gross, with 21.93 hectares net developable area. The current land use is Grade 3 agricultural land. The proposed land take will include 21.93 ha of residential use, 27.37 ha of Country Park and 10.35 ha of Open Space and Surface Water Drainage. Up to 800 dwellings are proposed, at a density of 30-40 dwellings per hectare, with a proportion of affordable housing.

7.1.8 The amended documents have led to a series of meetings with both the developers, their planning and other consultants, the adjoining landowners and adjoining planning and highway authorities. The issues that have required greatest negotiation include:

- Highways improvements, including a new junction at Shardlow Road/Chellaston Lane along with works to the A6 Thulston junction and Alvaston district centre.
- Flood risk/drainage issues.
- Cross boundary issues, including the agreement of a joint Development Framework document (DFD) with the adjoining land owner and the physical linkages to the adjoining land.
- Delivery of the primary school (funding for the construction of the primary school is included in the current Housing Infrastructure Fund (HIF) bid to Homes England).
- Potential developer contributions (achieved through Section 106 Agreement), including delivery of affordable housing and a bus service, all dependent on overall development viability.

7.1.9 The cross-boundary issues have been impaired due to an apparent lack of co-operation with the landowner of the adjoining Boulton Moor site, which falls within SDDC. This land is the subject of a separate outline application awaiting

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determination by SDDC. This situation has resulted in the submission of QC's opinions from both sides detailing how the respective developers consider the City Council should determine the current Snelsmoor Grange application, in terms of securing cross boundary infrastructure to avoid any decision that is taken from being legally challenged.

7.1.10 Furthermore, this situation has led to the developers of the Snelsmoor Grange site wishing to proceed on the basis of a stand-alone application. However, the Council still has to ensure that any cross-boundary issues are concluded to achieve the outcome of a co-ordinated sustainable urban extension. Recent meetings have made significant progress towards resolving the outstanding issues. As such, this Planning Application is considered to be fully in accordance with the provisions of Core Strategy Policy AC23, and is now being reported to Planning Control Committee, with a recommendation of approval, subject to the Section 106 Agreement being signed.

7.2. Proposed Masterplan and Detailed Layout

7.2.1 The Development Framework Document (DFD) sets out the key design principles of the sustainable urban extension, such as provision of a new Green Wedge extent, and location of different uses, whilst also demonstrating a comprehensive development vision applicable for the separate land areas. The revised Framework Masterplan included within the DFD illustrates the location of linkages between the Snelsmoor Grange application site, the adjacent Boulton Moor Phases 1 and 2, and the Fellow Lands Way Development, as well as providing routes to the new Country Park. The Masterplan is considered to correspond with the DFD and will contribute toward delivering a comprehensively planned urban extension at Boulton Moor.

7.2.2 A Concept Masterplan has been submitted, which provides an indicative illustration of the proposed development. The Masterplan has evolved progressively since the scheme was first submitted and represents an optimum development option for the applicants. Some of its key features include:

- A central tree lined spine road extending from Snelsmoor Lane through the site to assist with the formation of strong building frontages and well balanced streetscenes;
- Development punctuated by a series of linear green corridors including retention of ditch corridors and hedgerows boundaries creating wildlife corridors through from the country park;
- The Country Park will enhance the Green Wedge, providing functional formal play space and informal recreation within a rural landscape setting, including structural landscaping along the western edge of the development parcels;
- Net density levels varying across the site between 30-40 dph depending on the character and context;
- A series of pedestrian linkages through the site and country park to facilitate convenient access to the primary school and wider area;
- Vehicular access from Snelsmoor Lane and Field Lane with vehicular links facilitated with tree lined streets to BM2;

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- Provision of a site for a 1.5FE primary school to the northern part of the Site to facilitate early delivery/ access from Field Lane. Playing fields will enhance the functionality of the Green Wedge.

7.2.3 The submitted Design and Access Statement has been updated and explains the amendments proposed to the masterplan accompanying the site-wide outline planning application and alterations to the layout for the full details of Phase 1 and 2 of the development. The layout has had to adapt to an altered drainage strategy and revised housing mix. The unique landscape-led design approach has been retained through the amendments proposed, with integrated built form that responds to the existing topography, field pattern, existing trees, and habitats on the site. The interface between the dwellings and Country Park is altered through addition of swales amended to collect surface water. Together with the new country park, there is a series of connected open spaces (located to enhance the setting of the retained hedgerows) green corridors, tree-lined streets, footpaths / cycle paths.

7.3 Highways

7.3.1 The application site would be served by accesses from the north and south. The north access, via a widened Field Lane, would serve Phase 2 and the new school. The south access, off Snelsmoor Lane, would serve Phase 1. The latter will eventually connect Snelsmoor Lane with the Boulton Moor Phase 2 site, but is capable of serving various phases of Snelsmoor Grange independently of that site. The junction of the spine road with Snelsmoor Lane would take the form of the recently approved roundabout, which would provide sufficient capacity to accommodate the whole Snelsmoor Grange scheme.

7.3.2 The proposed new spine road would be provided in accordance with the local "6Cs Design Guide" standards; with an internal design speed of 20mph. Field Lane would be widened to achieve these standards. Satisfactory access for emergency vehicles would be maintained during the early phases of development, prior to the connections with the land to the east. It would also be possible to access the proposed primary school from the improved Field Lane, with alternative cycle / pedestrian access also being available via a link to the remainder of Snelsmoor Grange to the south. There would be no vehicular connection between Phase 2 and the remainder of Snelsmoor Grange, other than for emergency vehicles available.

7.3.3 A number of off-site highway works have been identified. These include the straightening of Snelsmoor Lane and the new roundabout (recently approved) and the following works:

- Snelsmoor Lane Traffic Calming – Western Section;
- Snelsmoor Lane Traffic Calming – Eastern Section;
- Alvaston District Centre Roundabouts – carriageway widening and traffic signal control.
- Shardlow Road / A6 Thulston Roundabout;
- Shardlow Road / Snelsmoor lane junction. (conversion to traffic signal control)

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- Shardlow Road/Field Lane junction – safety-related improvements.

7.3.4 Cycling offers strong opportunities for sustainable travel between Snelsmoor Grange and Derby City Centre. Internal cycle infrastructure will connect directly to Field Lane, a lightly trafficked road which connects directly with the National Cycle Route 66 (the 'Derby Orbital'). NCR 66 provides an onward connection to NCR 6 for the City Centre and Derby Midland Railway Station. It would also be possible to reach NCR 6 and 66 via connections to Fellow Lands Way to be provided via the proposed country park.

7.3.5 The Concept Masterplan shows a series of footpaths throughout the housing development, providing east-west links between the adjoining sites. The Country Park will also provide a number of footpath links between the site and the Fellow Lands Way development, this will ensure that the existing public footpath route is maintained and will assist in facilitating access to the new school.

7.3.6 Extensive consultations and negotiations have taken place with the adjoining highway authorities (Derbyshire County Council and Highways England), who have responsibility for the surrounding highway network. A comprehensive scheme of improvement works are considered to be acceptable, which would ensure that the majority of vehicles are directed towards the A6 Thulston junction. The various Highway authorities are satisfied that, subject to the junction improvements and traffic calming being undertaken the proposal is acceptable. A number of conditions are recommended, with appropriate development trigger points, to require the mitigating works to be undertaken. The proposed cycleway and footpath links are considered to be satisfactory.

7.4 Site drainage/flood risk

7.4.1 A site-specific drainage strategy has been proposed. With respect to Surface Water Drainage, the Strategy has been designed utilising a conventional piped system together with a series of attenuation ponds and swales. The northern parcel drains to an existing watercourse and flows have been attenuated to the 100 year plus climate change with an attenuation pond. The southern parcel discharges to a swale on the eastern parcel boundary, which flows in a southern direction to the south west corner of the site. At this point the flow is conveyed under Snelsmoor Lane to an on-line attenuation pond on the southern side of the lane. This linear pond provides attenuation for storms up to the 100 year plus climate change event and flows in an easterly direction to Thurlston Farm and then into a culvert under the A6. This pond/swale, south of Snelsmoor Lane, falls within South Derbyshire and was granted planning permission in 2017. Due to the topography to the south west of the development, a 'cut off' swale has been incorporated into the design to reduce the risk of run-off from this area, in order to prevent flooding to properties in the western part of the development.

7.4.2 With respect to Foul Water Drainage, the Strategy comprises foul flows being directed towards a pumping station in the southern parcel and then pumped to a 1500 diameter combined sewer that crosses the northern part of the site. This pumping station will be adopted by Severn Trent Water. The northern parcel will

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utilise a direct gravity connection to an existing adopted foul sewer that crosses through the northern parcel.

7.4.3 The proposed Masterplan shows a layout arranged around a series of swales and a number of attenuation ponds. The flood risk attenuation ponds are proposed in the northeast part of the site, linked to ecological and open space enhancements. An attenuation swale is proposed within the Country Park, along the west edge of Phase 1. A similar swale forms the east boundary with the Boulton Moor development.

7.4.4 The Council are the Lead Drainage Authority and officers have had several detailed meetings with the developer's drainage consultants. The liaison has been to ensure that the submitted drainage scheme is compliant with the Water Framework Directive and that subsequent Land Drainage Consent can be granted. As part of the consideration process, detailed plans have been provided which now show the whole drainage/attenuation system included within the Full element of the application and full details, including cross-sections of the proposed watercourses submitted.

7.4.5 Council Land Drainage Officers consider that the submitted sustainable drainage design and details for the main balancing features and proposed sewer network are generally acceptable in principle. However, at the time of writing, Officers are continuing detailed negotiations with the applicant's consultants, in order to address any outstanding issues.

7.4.6 It is acknowledged that it would be preferable to resolve any outstanding issues prior to full planning permission being granted, however it is understood that there is pressure to bring this development forward. It is acknowledged that there will be some post-Committee negotiations regarding the potential Section 106 Agreement. In which respect, there will be some available time prior to the formal granting of permission, to enable the outstanding drainage issues to be resolved. In all respects, appropriate drainage conditions are recommended. These may be subject to further negotiation.

7.5 Education

7.5.1 The Development is proposed to provide a 1.5FE primary school to serve the primary education needs of the Development. Discussions with the Education Authority have confirmed that the school will need to be provided at an early stage of the Development, due to a lack of available primary school places, and the application assists with this by confirming the exact site and boundary for the primary school and the means of access.

7.5.2 It is recognised that primary education is key to delivering sustainable development and the provision of the primary school as part of a phased development will support the sustainability principles behind the Development. It is also expected that the school will be able to benefit from the planned sporting and recreation facilities within the country park, utilising newly provided safe routes to ensure the two are co-ordinated as part of the Development.

7.5.3 The school is to be constructed by the City Council and a bid for Housing Infrastructure Funding (HIF) has been submitted to central Government. An access

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agreement has now been signed and site surveys are currently being undertaken. These will allow the contractors to provide full details of costs. Subject to the provision of necessary infrastructure, the construction programme remains on track for the school to be operational from August 2021. The school delivery and viability issues are interlinked, and these issues are discussed below.

7.6. Public Transport

7.6.1 A comprehensive public transport strategy was agreed as part of the approved Boulton Moor development in South Derbyshire, which provides a sound basis for the wider urban extension, including the application site. The public transport strategy was designed to accommodate the extension of the bus service into future developments. It was originally envisaged that the proposed bus loop would be extended to serve the Snelsmoor Grange development, thus providing public transport links across the wider allocation.

7.6.2 However, a lack of co-operation between the various land owners mean that the bus service now being planned will only serve Snelsmoor Grange, as a stand-alone facility. This will enable all housing to be within 400m walking distance from the nearest bus stop. Although this proposal is contrary to the expectations of a co-ordinated sustainable urban extension, it is only achievable when relying on the co-operation of all parties. To delay the public transport solution on these grounds will hamper the housing delivery and is not considered to be acceptable. Negotiations are ongoing and it is expected that a Service Level Agreement will be reached between the developers and Arriva, to provide an acceptable service. This can be dealt with by way of Condition or included within the Sec 106 Agreement.

7.7. Cross Boundary Issues

7.7.1 Cross boundary issues need to be considered as part of this application, to achieve an acceptable the level of co-ordination of both development and other ancillary matters, across the whole sustainable urban extension. To that end, the joint Development Framework document (DFD) has been prepared with the adjoining land owner. This particularly relates to issues such as public transport and the physical linkages to the adjoining Boulton Moor development. The DFD has generally been accepted by South Derbyshire District Council but the adjoining landowners have not indicated that they are signed up to the latest version.

7.7.2 The physical linkages to the adjoining Boulton Moor development would comprise two road links and other pedestrian links between the two sites. These links are necessary to allow the proposed bus service to loop around the whole sustainable urban extension and would allow easy pedestrian access for the Snelsmoor Grange residents to the proposed District Centre; and for the Boulton Moor residents to the school and the Country Park. Issues relating to public transport provision are set out above.

7.7.3 The two proposed road links would be installed adjoining an attenuation swale. To ensure that the links are implemented, and in the event that the Boulton Moor Phase 2 development does not come forward as quickly as the development at Snelsmoor Grange, a condition is recommended that requires the construction of the roads up to

the boundary and final completion within a time period of the adjoining road link being installed.

7.8. Detailed issues relating to the Full Application element

7.8.1 The proposed development and the detailed layout of Phases 1 and 2 have been formulated to accord with the Development Plan Document (DFD) and the Concept Masterplan. Three residential character areas are proposed, by virtue of the site's characteristics and position within the overall context of the locality. These character areas are: Avenue (relating to the proposals adjoining the tree-lined spine road); Green Corridors (relating to those proposals along the swales and former field boundaries); and Country Park Edge (on the west side of the development).

7.8.2 The Full application element of Phase 1 of the layout, comprising 167 dwellings, is the area between the proposed spine road and the country park, to the southwest of the proposed housing development. The design of this area has responded to the site's existing assets by maintaining and enhancing the existing hedgerows and trees into a series of green corridors through the development area and towards the proposed country park. The Full application element of Phase 2, comprising 78 dwelling, is to the north of the proposed housing development. This phase adjoins the flood attenuation features and open space and facilitates the access to the proposed school.

7.8.3 The proposed houses for Phases 1 and 2 would be generally 2-storey, with a small number of larger properties with gabled dormers. The breakdown of house types comprises:

- 1-bed maisonettes/bungalows - 6%
- 2-bed terraced/semi-detached houses - 17%
- 3-bed semi/detached houses – 36%
- 4-bed detached houses – 41%.

7.8.4 The house designs are of typical brick and tile materials, with features including brick arches, stone cills, bay windows, tiled canopy porches, textured and contrasting brickwork. The layout provides keynote buildings, carefully located and architecturally enhanced, with a design feature or a material change, to increase legibility within the development. Changes in surface material will help to identify shared surface lanes and private drives, creating locally distinct new characters.

7.8.5 The layout has been amended to take account of comments relating to the detailed urban design, site security and local architectural vernacular. It is considered that the overall masterplan concept, the detailed layout and individual house designs are acceptable.

7.9. Other Technical Issues

7.9.1 Open Space

The whole development proposal will provide 27ha of Country Park, 10ha of green corridors and public open space within the residential development area, including a

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Local Equipped Play area (LEAP) and Neighbourhood Equipped Play Area (NEAP). The proposed development will deliver an excess of publicly accessible open space that will meet a deficit that was identified by the Councils 2010 Open Space study. The creation of the Country Park will enable the Green wedge to be maintained.

7.9.2 Crime Prevention

Crime prevention measures have been considered fundamental to the design proposals for Snelsmoor Grange and the Design & Access Statement summarises how the design reflects the attributes of safe, sustainable places as set out in 'Safer Places – the Planning System and Crime Prevention' (ODPM/Home Office, 2003), and 'Secured by Design' (New Homes 2010). The seven attributes of sustainable communities are detailed, including a clear street hierarchy, active frontages, natural surveillance, and publicly defensible space.

7.9.3 Sustainable Construction

The developer's Sustainability and Energy Statement sets out the sustainable design aspirations relating to the proposed residential development, in relation to the planning requirements of Derby City Council. The Sustainability Appraisal seeks to reduce the impact of climate change by incorporating sustainable design, construction features and bio-diversity together with energy conservation methods into new developments. The Statement also includes detailed references to pollution, water usage, waste and recycling, and waste management.

7.9.4 Ecology

The proposals would have an impact on Boulton Moor Site of Special Scientific Interest. However, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection. The Derbyshire Wildlife Trust recommend a number of conditions, particularly requiring mitigation measures to be implemented to safeguard protected species.

7.9.5 Noise

The submitted acoustic information indicates that noise is not a significant factor for this proposal. The Environmental Protection Team do not object to the application, subject to a further detailed mitigation scheme being provided at each reserved matters phase; and a further detailed assessment of the potential for residential noise amenity impacts arising from activities associated with the proposed school, prior to the school becoming operational. The approval of a Construction Noise Management Plan is also recommended. These requirements can be dealt with by way of a condition.

7.9.6 Air Quality

Environmental Protection recommend further modelling, to provide a greater level of confidence for the submissions, which indicate that the proposal would be broadly indicative of a low AQ impact. Updated modelling will need to assess future year scenarios and the impact of potential increases in NO₂ at nationally-modelled exceedance locations. Officers are currently considering further representations made by the applicant's consultant. A condition is recommended, requiring the submission of a detailed Air Quality Mitigation Plan, with appropriate examples of mitigation. This

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may be subject to amendment dependent upon the result of the technical negotiations.

7.9.7 Heritage assets and Archaeology

The site contains no statutorily designated heritage assets. The latest amended scheme has addressed the main heritage concerns by omitting End Cottage and its site. The scheme is considered to accord with the objectives of the NPPF and Development Plan Policies. No objections are raised, subject to a condition requiring the recording of Moor Farm prior to demolition. Regarding the potential impact on archaeological remains, the site has been subject to geophysical survey, with archaeological evaluation trenching of the area proposed for detailed consent. Further archaeological work at each phase should be undertaken through planning conditions, with evaluation trenching followed up by pre-commencement mitigation excavation, as required.

7.10. Section 106 Contributions and Viability

7.10.1 The Heads of Terms for the Section 106 agreement have been discussed with the applicants over the life of this application. These include a new country park including children's play facilities, 1.5 form entry primary school, secondary education contribution, affordable housing and a new bus service amongst other community contributions. Due to the requirement to deliver the primary school early in the development programme, the extensive highway and drainage works required and the need to provide the country park to retain and enhance the green wedge, the applicant submitted a viability assessment showing that it was not possible to provide policy compliant contributions. This has been independently assessed by the District Valuer. The District Valuer's report agrees with the applicant's appraisal that with policy compliant contributions, the proposed residential development scheme is not viable as at the date of this report.

7.10.2 Given the District Valuer's conclusion an analysis of the developer contributions, through sensitivity testing was undertaken. This testing concluded that a reduced level of affordable housing and contributions could be provided alongside the primary school, country park and off-site highway works. The Council has entered into detailed negotiations with the applicant regarding the following package of contributions to be provided during the life of the development:

- 10% affordable housing (split into: 70% affordable rent, 30% shared ownership, with full provision of the proposed wheelchair units).
- Primary school contribution to deliver a one form entry school with core facilities to be expanded to a 1.5 entry school if required
- Bus service contribution – based on an appropriate Service Level agreement with the operator.
- Country park with children's play facilities
- High Street Traffic calming contribution.
- Footpath/cycleway contribution at Hippo Park

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- Secondary education contribution the requirement for which will be assessed at each reserved matters stage.
 - Travel Plan

7.10.3 The above contributions are in addition to the off-site highway works which will be undertaken by the applicants and which will provide significant benefits for the residents of the site and those living in the surrounding area. The Council has been proactive in looking for opportunities to boost the viability of the development to enable it to proceed quickly and contribute towards Derby's housing supply as well as delivering an increased level of affordable housing, aiding the delivery of the school and allowing the potential for other contributions to be provided. In this regard, the Council has made a bid to the Homes England Housing Infrastructure Fund (HIF) for funding to cover the cost of providing the primary school. If this bid is successful, it is anticipated that policy compliant affordable housing and other contributions would be achievable and the Section 106 drafting will make provision for that. The Council will also explore other opportunities for funding to bridge the viability gap during the life of the development. In the event that the HIF bid is not successful, an "overage" review will be required on the submission of each reserved matters application to determine what (if any) additional affordable housing can be achieved in that phase, taking into account whether there is a requirement to make a payment towards secondary education.

7.10.4 The remaining contributions that cannot be afforded during the life of the development would also be covered by an "overage" review at the conclusion of the development. These will include an affordable housing commuted sum, which would be quoted at that time - the maximum amount being equivalent to the percentage of affordable housing that has not been provided throughout the life of the development. Other contributions that would be covered by "overage" would be as follows:

- Contribution to build an extension to Field Lane community centre
- Contribution towards Moorways sports centre
- Contribution towards health facilities - either an expansion of the new health centre consented as part of the Boulton Moor development in South Derbyshire or an extension to Alvaston Medical Centre, Haven Medical Centre or Meadowfields Medical Centre.

7.10.5 With regard to primary education, it was originally proposed that a 1.5 form entry primary school should be built early in the development however following further discussions with the Council's Education team, in order to aid viability it has been agreed that a 1 form entry school with capacity to expand to a 1.5 form entry school during the life of the development (if required) can be provided. The need for the expansion of the school would be based on an assessment of capacity. The exact commuted sum associated with the expansion and the timing of the assessment are the subject of ongoing negotiations with the applicant.

7.10.6 In the context of the independent assessed viability concerns, it is considered that the package of contributions being delivered throughout the life of the development as outlined above are sufficient to allow the housing development to be sustainably

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delivered. This would significantly assist the Council's requirements to meet its 5-year supply and be compliant with policy CP6. As set out above, a Housing Infrastructure Fund bid has been submitted. The HIF bid result is expected before the end of 2019. If the HIF bid is successful, this will provide additional educational funding and will enable further contributions to be considered, including a potential increase in the proportion of affordable housing.

7.10.7 The applicants appear generally in agreement with the principles of the negotiated contributions. However, at the time of writing, negotiations are continuing with the developers. Members will be updated of progress at the meeting. Any refinement of the final contributions may be subject to further negotiations, prior to signing the Section 106 Agreement.

8. Recommended decision and summary of reasons:

8.1 Recommendation:

- A. To authorise** the Director of Strategy Partnerships, Planning and Streetpride to:
- i) negotiate the terms of a Section 106 Agreement to achieve the objectives set out below and to authorise the Director of Governance to enter into such an agreement; and
 - ii) continue negotiations to resolve all outstanding technical issues.
- B. To authorise** the Director of Strategy Partnerships, Planning and Streetpride to **grant permission** upon the resolution of all outstanding technical issues and the conclusion of the above Section 106 Agreement.

8.1. Summary of reasons:

The application site forms part of a proposed cross boundary "sustainable urban extension" allocating a total of some 2,700 homes as set out in the City and South Derbyshire's respective Local Plans. The application site forms the east part of an allocation in the Derby City Local Plan Part 1– Core Strategy Policy AC23 (Boulton Moor). The proposal would provide an acceptable mix of residential development, country park, primary school and all related highways and drainage improvements. Consequently, the proposal is considered to be in compliance with Core Strategy Policies AC23, CP1, CP2, CP6, CP16 and CP23. The Concept Masterplan and the Full elements of the proposal follow the submitted Joint Development Framework Document and are in accordance with Core Strategy Policies CP3 and CP4. Following the viability testing, it is considered that the range of developer contributions, to be included within the Section 106 Agreement, are adequate and acceptable.

8.2. Conditions and Informative Notes:

A list of draft Conditions and Informative Notes are set out at Appendix A. These are largely agreed with the applicants but may be subject to minor changes during any subsequent negotiations. Although acceptable in principle, technical details relating to drainage and air quality are the subject of continuing negotiations and Members will be updated with progress at the meeting.

8.3. S106 requirements where appropriate:

- 10% affordable housing (split into: 70% affordable rent, 30% shared ownership, with full provision of the proposed wheelchair units).
- Primary school contribution to deliver a one form entry school with core facilities to be expanded to a 1.5 entry school if required
- Bus service contribution – based on an appropriate Service Level agreement with the operator.
- Country park with children's play facilities
- High Street Traffic calming contribution.
- Footpath/cycleway contribution at Hippo Park
- Secondary education contribution the requirement for which will be assessed at each reserved matters stage.
- Travel Plan
- Legal and Administration Costs

8.4. Application timescale:

The statutory expiry date was 23 July 2013. This application was referred to Planning Committee due to its strategic importance and due to the high numbers of objections. An extension of time has been agreed but a further extension has been requested.

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APPENDIX A

04/13/00351

Snelsmoor Grange – Hybrid Application

Suggested Conditions:

General Conditions

1. Time limit – full/reserved matters
2. Reserved matters – definition / approvals
3. List of Approved plans
4. Development to in accordance with Development Framework Document, the Country Park Masterplan, the Landscape Framework, the Concept Masterplan and the Phasing Masterplan.

Highways conditions

5. Highway improvement works shall be implemented in accordance with the approved details and phasing.
6. Highways scheme to be in broad accordance with Highways England preliminary design drawings Proposed Alterations Option 1b,
7. Highways scheme to be in broad accordance with Highways England preliminary design drawing Snelsmoor T-Junction Option 9 – Signal Stages.
8. Implementation of a construction management plan or construction method statement.
9. Highway construction and phasing details.
10. Prior to any development commencing within the application area:
11. Internal layout shall accord with the Highway Authority's 6C's Design Guide and national guidance laid out in Manual for Streets.
12. Highway gradient restrictions.
13. Implementation and details of new estate streets.
14. On-site parking provision.
15. Bin store provision.
16. Swept path analysis for service and emergency vehicles.
17. Travel Plan to be agreed.

Bus Service provision

18. Agreement of Framework Travel Plan and bus service details.

Cross Boundary links

19. Implementation of cross-boundary highway links.
20. Implementation of school footpath link

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21. Footpath diversion route.

Drainage/levels conditions

22. Approval of flood attenuation features and watercourse regrading proposals

23. Approval of culvert proposals.

24. Approval of drainage construction phasing/management plan.

25. Approval of finished floor levels.

26. Approval of a surface water drainage strategy.

27. Approval of the maintenance requirements for the all flood risk management structures.

28. Prior to the school extension site being brought forward a flood risk management scheme shall be submitted to and approved in writing by the local planning authority to demonstrate that flood risk is not increased elsewhere.

Environmental protection

29. Approval of site specific Construction Environmental Management Plan

30. Approval of site specific Site Waste Management Plan.

Noise

31. Approval of detailed mitigation proposals at each reserved matters phase.

Air quality

32. Approval of revised air quality assessment

33. Implementation of an Air Quality Mitigation Plan.

Contaminated Land

34. Approval of additional site investigation works report.

35. Approval of Remediation Strategy

36. Approval of mitigation relating to unidentified contamination.

37. Approval of Remedial Measures Validation Report.

Archaeology

38. Approval of Written Scheme of Investigation for archaeological work.

Ecology

39. Implementation of an ecological design strategy (EDS) addressing mitigation, compensation and enhancement.

40. Construction to be in accordance with a biodiversity construction environmental management plan.

41. Construction to be in accordance with a landscape and ecological management plan.

42. Nesting bird restrictions.

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43. Construction to be in accordance with the Badgers Mitigation Strategy.

Materials/Landscaping/boundary treatment

44. Materials to be submitted, approved and implemented

45. Boundary treatment details to be submitted, approved and implemented prior to occupation.

46. Hard and soft landscaping details to be submitted, approved and implemented.

47. Tree/hedgerow assessment/mitigation/replacement

48. Tree/hedgerow protection during works

Notes to the Applicant

1) Highways works subject to Section 278 Agreement.

2) Highways Design Guide and general construction advice

3) Reserved Matters application to ensure that End Cottage is carefully incorporated into the streetscape.

4) Reserved matters application for the proposed Primary School, should include a detailed assessment of the potential for residential noise amenity impacts and potential mitigation.

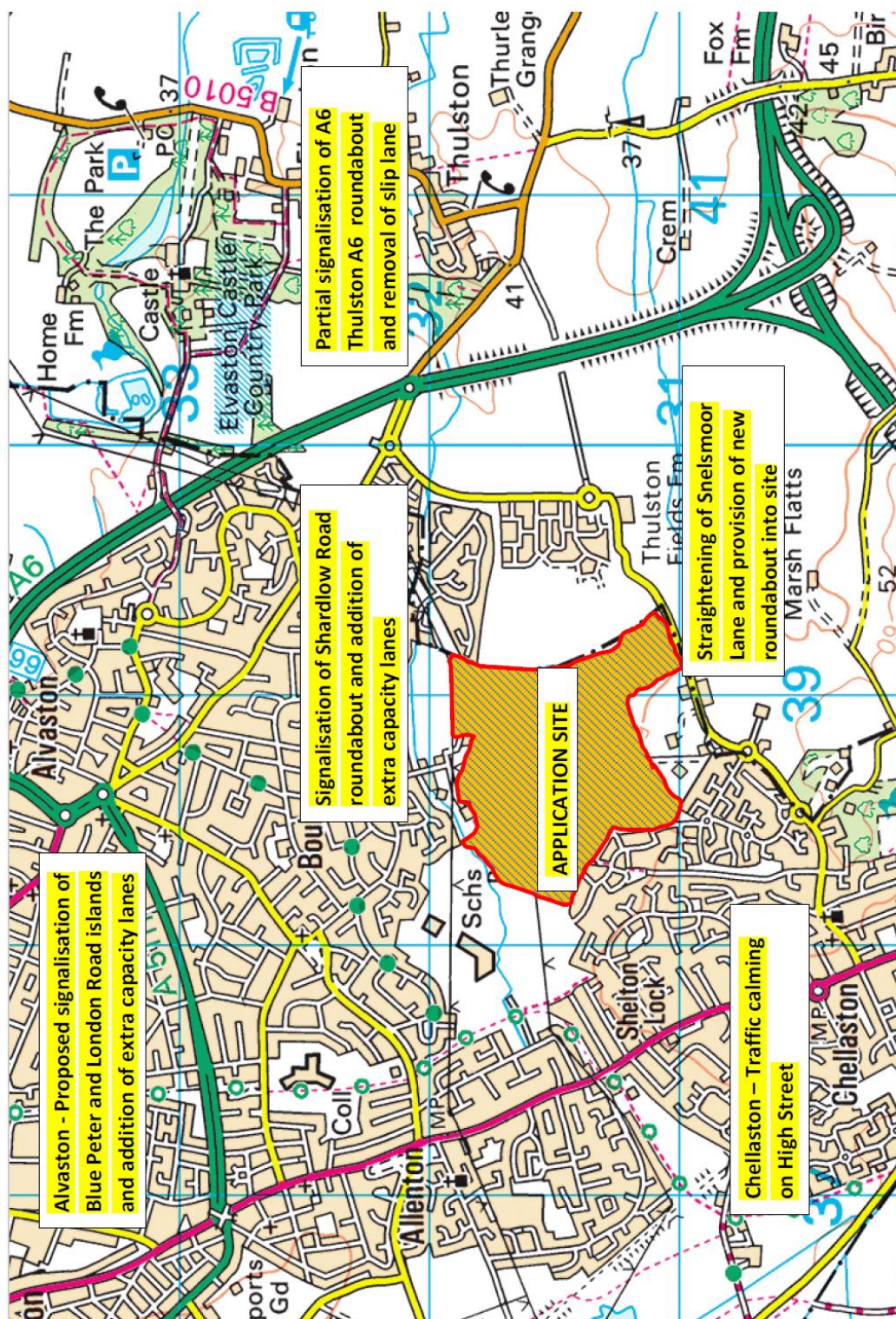
5) Consideration of separation of the SuDS element and the surface water runoff should ensure that the system will form an acceptable part of the SuDS treatment.

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13/00351 – SNELSMOOR GRANGE

PROPOSED OFF-SITE HIGHWAYS IMPROVEMENTS



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Application No: 19/01265/FUL

Type: Full Planning Application

1. Application Details

1.1. Address: Land at Rykneld Road, Littleover (South of the Hollybrook PH)

1.2. Ward: Littleover

1.3. Proposal:

Erection of retail unit (Use Class A1) with new access and car parking

1.4. Further Details:

Web-link to application:

<https://eplanning.derby.gov.uk/online-applications/plan/19/01265/FUL>

The application site covers approx. 1.12 hectares of land situated on the eastern side of Rykneld Road. It lies on the south-western fringes of the City within the suburb of Littleover. To the north the site abuts the Hollybrook public house. The public house, together with a medical centre, shops and other amenities, form the Heatherton Neighbourhood Centre. The Centre is accessed off Hollybrook Way via a roundabout at its junction with Rykneld Road. The wider Heatherton housing estate lies to the northeast of the development site.

The application site itself is comprised of an area of rough agricultural grassland. To the north and west the site is bounded by hedgerows. There is a ditch along the northern site boundary and the Holly Brook runs close to the site's north-eastern corner. There are several mature and semi-mature trees situated within the limits of the application site, including four oak trees. A row of three oak trees situated close to the western boundary are protected under Tree Preservation Order No. 35.

Land levels on the application site are set approx. 1m below Rykneld Road and there is a general fall in levels across the site from south-west to north-east. The land directly to the east and south of the development site (which is blue-lined land within the control of the applicant) is also comprised of open farmland. At present there is no direct vehicular access into the development site itself, however, the wider site is served by a gated farm access situated further south along Rykneld Road.

The development along Rykneld Road itself is comprised of a mixture of detached and semi-detached dwellings. Houses are arranged in a linear form along the route of the highway extending out towards its junction with the A38 trunk road. Further to the south of the site is the Highfields Farm housing development, which falls within South Derbyshire District. The development consists of 1,200 dwellings, a primary school, a neighbourhood centre, and Country Park. At present, approximately half of the residential development is built and occupied.

Planning Context/History

The application site falls within an area of land covered by Policy AC20 of the Derby City Local Plan – Part 1 (DCLP1). The wider site, which extends to approx. 33.3 hectares of land on both the eastern and western side of Rykneld Road, including the application site, is identified for a large-scale, mixed-use development. Policy AC20 allocates the area for the delivery of a minimum of 900 homes plus supporting infrastructure, including a new primary school, an extension of the neighbourhood centre at Heatherton, 2.4ha of employment land, as well as specific transport mitigation measures. The site was originally covered by Policy H9 of the City of

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Derby Local Plan Review (2006). This allocation was rolled forward into the new Derby City Local Plan Part 1 – Policy AC20. Policy AC20 requires a coordinated approach to development to ensure the site and necessary infrastructure is delivered comprehensively.

An application for outline planning permission was submitted on the wider site in 2011, under application reference DER/01/11/00023. This earlier development proposed the erection of up to 800 dwellings, a retail foodstore, community facilities, commercial uses, a primary school and vehicular accesses to Rykneld Road and Hollybrook Way. Although Planning Control Committee resolved to grant permission for the development back in 2013 negotiations on the s106 have stalled, due largely to lack of landowner cooperation, and the application remains undetermined.

The Proposals

This application seeks permission for the erection of a detached single storey building which would form a retail store (Use Class A1). The intended occupier Aldi Stores, who are a mainstream convenience food store operator, although they generally sell non-food comparison goods in an ancillary manner for up to 15% of the floor space. In this specific case, the applicant is seeking permission to sell comparison goods for 20% of the net floorspace in order to sell special purchases on a 'when it's gone, it's gone' (WIGIG) basis. This means that comparison goods will be sold on a seasonal basis with no particular type of comparison good predominating.

The development would create some 1,315 Sqm of net retail floor space (1,786 Sqm gross) together with associated car parking and servicing. The building would be positioned close to the site's northern boundary with its main elevation fronting a large car parking area to the south. The main entrance into the store would be situated on building's south-western corner. In total, the development would provide 121 car parking spaces, including 6 accessibility spaces and 6 parent and child spaces. Cycle parking is proposed close the store entrance and servicing for the store would be situated on the eastern side of the building. Proposed hours of opening are 08.00am to 10.00pm (Monday to Saturday).

The proposed retail store would have a footprint of approx. 30.5m by approx. 61m, including the end loading bay on its eastern side. The design of the development would be fairly typical of a branded shop of this size, with a monopitched roof measuring approximately 8.5m at its highest point. The building's elevations would be finished in a mixture of silver and dark grey composite cladding and a glazed shopfront would wrap around its western corner. A strip of high level glazing is proposed along the south western elevation of the property. Again, proposed landscaping materials would be typical of an Aldi store comprising car parking spaces with pavements and tarmac access roads.

To facilitate the development a new vehicle access into the site is proposed from Rykneld Road. The proposal also involves a widening of the pedestrian footpath along Rykneld Road, to the south of the roundabout access onto Hollybrook Way. A pedestrian refuge crossing would be introduced along Rykneld Road. The access road into the site from Rykneld Road would run to the south of the proposed foodstore and end at a turning head. The submission states that the access road required to serve the Aldi development is not intended for future connection east to the point where it could connect with the proposed north-south link road as shown in

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the planning brief. A footpath link could however be provided as Heatherton Developments controls the land that would be necessary for it.

The application is accompanied by the following documents:

- A Planning Statement,
- A Retail Statement,
- A Design and Access Statement
- A Transport Statement,
- A Travel Plan,
- A Noise Assessment,
- An Air Quality Report
- A Flood Risk Assessment,
- A Sustainable Drainage Statement
- A Landscape and Visual Appraisal
- An Ecological Statement
- An Arboricultural Report
- A Contaminated Land Report
- An Archaeological Statement
- A Statement of Community Involvement and
- A Statement on Energy and Waste Disposal

This application has been submitted following a lengthy pre-application process, during which, the applicant was advised that any application would need to thoroughly address the issues of comprehensive development outlined within CDLP1 Policy AC20. The need for the development to relate and function as part of an extension to the Heatherton Neighbourhood Centre was stressed to the applicant, as was the need for any submission to include suitable linkages through to the Hollybrook Way and the Neighbourhood Centre. The applicant was also advised that any application would need to demonstrate how the Policy requirement of delivering 2.4ha of employment land could be met on the wider site, or why the requirement should no longer be met.

2. Relevant Planning History:

Application No:	01/11/00023	Type:	Outline Planning Application
Decision:	Awaiting decision following committee resolution to grant planning permission	Date:	
Description:	Residential Development (Up To 800 Dwellings), Business Units (Use Class B1), Retail Foodstore (Use Class A1), Community Facilities (Use Classes D1 And D2), Commercial Uses (Use		

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	Classes A1,A2,A3,A4 And A5), Primary School (Use Class D1) And Formation Of Vehicular Accesses To Rykneld Road And Hollybrook Way
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3. Publicity:

Neighbour Notification Letter - 5

Site Notice – yes

Statutory Press Advert – yes

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

4. Representations:

In total 21 letters/emails of objection (and 1 comment) have been received in response to the consultation process. The issue raised are summarised below:

- The access directly off Rykneld Road does not comply with the Masterplan
- Highway concerns regarding the position of the access
- Impact on neighbours entering/exiting their properties and pedestrians crossing the road
- Increase in volume and type of traffic
- Additional congestion, increased noise and pollution
- Loss of trees and hedgerows
- Detrimental impact on neighbours in terms of outlook, noise, overlooking etc.
- Concerns about noise and noise nuisance and light pollution from the new store
- Overdevelopment – another store isn't needed.
- Impact on the biodiversity of the site including impact on protected species.
- Impact of the access on the protected oak trees
- Unnecessary destruction of a greenfield site
- Drainage concerns
- The development isn't a true extension to the existing commercial centre
- The development will operate as a stand-alone unit with no physical and deliverable link onto Hollybrook Way.
- The isolated location of the development would make it less likely that Heatherton residents could walk to the shop and would introduce more trips by car
- The land levels should be carefully charted and used to help reduce the overall height of the building.

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- Concerns about anti-social behaviour when the store is shut
 - The development shouldn't be considered in isolation. Regard should be given to cumulative impact including nearby developments.

5. Consultations:

5.1. Highways Development Control:

Awaiting comments

5.2. Natural Environment (Tree Officer):

Of concern is the three mature TPO'd Oak trees that run parallel to Rykneld Road. The trees are identified as T07, T08 and T09 within the submitted tree survey. The trees do exhibit veteran tree features but according to Fig 1.3: Chart of girth in relation to age and developmental classification of trees of Ancient and other veteran trees: further guidance on management the trees are not veterans but are locally notable. Although not classed as veteran trees they do provide valuable wildlife habitats and in my opinion are significant.

It is proposed to remove T05 (English Oak) to facilitate the development. This tree has accrued sufficient amenity value to justify a TPO. I would not recommending making it subject if you are minded to grant permission. However if you are minded to refuse I would ask that the tree is made subject to a TPO. It may be possible to amend the lay out to accommodate the tree.

T07 has been given a BS5837 U category. Although the tree has suffered a significant limb failure I am of the opinion that U category is rather harsh. With some appropriate pruning, which is recommended in the tree survey, the tree could be retained and given its material conservation value I am of the opinion that the tree has a B3 category.

The plotted RPA's fail to take into account the constraints of Rykneld Road on the likely rooting environment. Guidance in BS: 5837 4.6.2 and 4.6.3 has not been followed in relation to assessment of likely root distribution and RPA calculation.

Research suggests that trees that veteran (and those with veteran features) require greater access to soil volumes than the nominal RPA radius prescribed in BS: 5837. Taking this into account and the constraints of Rykneld Road on the likely root distribution I believe the RPA's must be extended further into the site. The RPA's will extend into the proposed car park area adjacent to trees T07 and T08. The car park must be amended to provide a greater CEZ to trees T07 and T08.

The arboricultural report states 'The road passing between trees T08 and T09 will be constructed using a low-impact non-dig road construction, as shown on the Tree Protection Plan, and details by BWB Consulting and Geosynthetics (section 4.1). The Arboricultural Consultant should be consulted on the detailed design of this road and this will be subject to approval by the LPA.' I am unable to locate the below drawings to see if the non-dig access can be installed.

- Site Access - Non-Dig Extents. BWB Consulting drawing no. RYK-BWB-HDG-XX-DR-C-0105-P1

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- Technical Recommendation. Geosynthetics ref. TR19-2921_RUR_CEL_Rykneld Road-V1
 - Cross Section of Cellweb over TRP Area. Geosynthetics drawing no. TR19-2921_RUR_CEL_Rykneld Road

The site drainage plan would need to be updated to show amended RPA's and mitigate the changes.

Updated comments

The report does go in to some greater detail regarding the access road into the site and does mention the method of installation of services within the RPA. However RPA's have not been modified to reflect existing constraints so my original comments stand.

I believe it is important to get detailed design of the non-dig aspect now so as to demonstrate feasibility.

I would also comment that there is scope for incorporating tree planting within the car park (using soil cells to provide appropriate soil volumes) which could also incorporate SUDs elements.

5.3. Environmental Services (Health – Ground Contamination):

Awaiting comments

5.4. Environmental Services (Health – Air Quality):

I have reviewed the application information and I would offer the following comments in relation to Air Quality implications for the development as follows.

- 1 The development has the potential to increase vehicle trips on the local road network. Consequently, it could have implications for local air quality.
2. The application is supported by the submission of an Air Quality Assessment (BWB Consulting, Ref: NTT2544-001, Dated: March 2019). I can comment on the report and its implications for planning considerations in respect of the application as follows.

Air Quality Assessment

3. The assessment considers construction dust impacts and operational traffic impacts.
4. The construction dust assessment follows appropriate guidance and offers proposed mitigation measures commensurate with the scale and nature of construction activities on site.
5. The mitigation measures are detailed in Section 7 of the report and are deemed appropriate.
6. With respect to operational traffic emissions, the report again utilises appropriate guidance (IAQM/EPUK Guidance).
7. This guidance incorporates a 2 stage scoping approach to assessment, prior to detailed air quality modelling being carried out.

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8. Traffic data produced for the scheme suggests that the threshold for trip generation was not exceeded in this case, meaning that detailed modelling was not required in this instance due to a perceived low impact. The traffic numbers appear reasonable.
 9. In light of the low trip generation (under 500 vehicles AADT) combined with low background concentrations of air pollution within the locality and the significant distance from any of the Council's AQMAs, I would accept the conclusions that air quality impacts arising from operational traffic are expected to be insignificant.

Conclusions and Recommendations on Air Quality

10. The assessment adequately considers potential air quality impacts arising from the scheme.
11. Based on the information provided, the report concludes that the impact is considered to be 'insignificant' in accordance with IAQM/EPUK guidance. The Environmental Protection Team sees no reason to dispute this conclusion.
12. Regarding construction dust impacts, the Environmental Protection Team would recommend a planning condition requiring that the mitigation measures produced in Section 7 of the submitted air quality assessment are reproduced within a detailed construction management plan. This should be agreed with the LPA prior to commencement of construction works and will need to be complied with in full throughout the duration of construction works.
13. In addition, in accordance with National Policy and expected forthcoming changes to the Building Regulations, the Environmental Protection Team would strongly recommend that electric vehicle charge points are provided within the car parking provided on site.
14. The EV charging facilities should comply with the minimum standards outlined within the recent Government consultation on EV Charging in residential and non-residential buildings, namely a minimum of 7KW and type Mode 3 charge points, or at least the cabling infrastructure to allow installation of high current charge points in future (to include cabling routes, cables and the necessary electrical capacity at the distribution board). Further details can be found here:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818810/electric-vehicle-charging-in-residential-and-non-residential-buildings.pdf
15. If possible, we would recommend a planning condition requiring the above. If this is not considered justifiable, then we would suggest an advisory note.

I have no other comments to make on the application regarding air quality at this time.

5.5. Environmental Services (Health – Noise):

I refer to the noise assessment report submitted in support of the above planning application: *Proposed Foodstore, Rykneld Road, Derby, Noise Impact Assessment, BWB report reference NTT2544. March 2019. Authored by BWB Consulting Ltd.*

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The following is a summary of the report and my comments:

Report Summary – key points

1. The stated purpose of the report is to determine the likely impact of the proposed retail development on noise sensitive receptors.
2. The proposed development site currently comprises arable land. To the north the site is bounded by The Hollybrook public house and car park area. To the north-east is the Hollybrook Medical Centre. To the east and south is further arable land (with more distant housing to the south-west), and to the north-west is Rykneld Rd (the far side of which has a row of residential housing).
3. The report refers to BS8233 and WHO (1999) Guidelines for Community Noise in discussing noise limits in relation to residential receptors. BS4142 is referred to as a method to determine the impact of industrial and commercial sound. The Design Manual for Roads and Bridges (Calculation of Road Traffic Noise) is also considered as the development has the potential to impact on road traffic noise.
4. The key objectives of the assessment are: to undertake a baseline noise survey; a prediction of noise levels generated by the development; to assess the impact of any fixed plant; to assess impact of on-site operational activities (e.g. HGV movements); to assess the impact from use of the car parking area; to assess the impact of development generated traffic; to consider the need for noise mitigation measures as required by the assessment.
5. The measurement location chosen for the baseline study was appropriate, being both near to residential dwellings and the main road. Values were obtained for both the daytime and night-time periods (dB Laeq & La90).
6. The delivery bay for the proposed unit is adjacent to the eastern boundary, and will provide screening to the north-west by the development building. The nearest sensitive receptors are assumed to be dwellings to the south-west (150m distance), and that a single HGV delivery would occur during both the day and night. The vehicle movement and unloading operation is given a cumulative sound level of 87dB at 10m.
7. The BS4142 assessment for delivery noise during night-time has a +1dB excess over background levels, indicative of a low impact. The daytime assessment has a level of -22dB (i.e. below the background level), indicative of a low impact. The assessment concludes that both situations are unlikely to give rise to an adverse impact.
8. The car park noise assessment considers the residential dwellings sited 35m from the north-western boundary as the most sensitive receptor. Using historic data, the report assumes the cumulative impact of 121 arrivals and departures during a worst-case daytime hour, in the north-western area of the proposed carpark.
9. The predicted incident noise level (Laeq) from the assumed traffic (corrected for distance) is 46dB. Assuming an open window reduction of 15dB, this equates to an internal noise level of 31dB Laeq,1hr. This compares favourably with the BS8233 guideline noise level of 35dB Laeq,16 hr.

10. The traffic assessment concludes that the greatest predicted road traffic noise increase would be 0.3dB. Comparing this against the classification scale in the DMRB, the report concludes the impact is negligible and mitigation measures are not warranted.
11. In regards to plant noise, the report notes that the plant compound is to be located near the north-east boundary of the development site. The baseline study showed dBLa90 values to be 46 (daytime) and 35 (night-time), and the report states that plant noise emission limits (BS4142, rating level) shall adhere to these limits (in relation to the nearest noise sensitive receptor). The report notes that proposals to meet these limits should be submitted for review and approval in advance of installation (at time of writing, plant selection was not available to the report authors). This includes the possibility of provisions including low noise equipment, enclosures or screens as necessary to achieve the required attenuation.
12. The report concludes the proposed food store is unlikely to give rise to an adverse noise impact at the nearest existing noise sensitive receptors, and should not be a limiting factor in the granting of planning approval. The report recognises that a planning condition is likely to be required in regards to the potential impact from plant noise

Conclusions and Recommendations

1. The assessment within the report draws reasonable conclusions, regarding the various identified impacts.
2. I find myself in agreement with the conclusions of the report. The report acknowledges that impact of the site plant cannot be fully assessed due to a lack of information available at the time of writing.
3. A condition is therefore recommended to ensure that chosen plant equipment complies with the noise limits detailed within the report:

The submitted noise assessment (Report ref. NTT2554, dated March 2019, authored by BWB Consulting Ltd) sets noise criteria which must be met by the chosen plant equipment (compared with the BS4142 rated level of the equipment). Full noise detail of the chosen equipment shall be submitted for approval alongside this BS4142 assessment. If the assessment concludes that mitigation works are required to protect the nearest noise receptors, then mitigation measures shall also be proposed and submitted for approval (prior to installation).

5.6. Derbyshire County Council Archaeologist:

This application has archaeological implications. The land in question has been the subject of some archaeological assessment in the past, including the production of a, now very out of date, desk based assessment produced in 2005, and geophysical survey in 2006. This work was undertaken in relation to a joint application by Miller Homes and John Davis Homes for a proposed 36ha housing development. The geophysical survey is problematic now as it involved both sampling and scanning. Both of which techniques are no longer considered to be adequate methods of assessing below ground archaeological features (Historic England geophysics

guidance 2008). That said the areas of the proposed development site that were assessed in this way (areas 9 and 10) indicated geophysical anomalies of archaeological potential. These were thought to relate to the postulated line of the Rykneld Street Roman Road (Derbyshire Historic Environment Record number: MDR 10207) which runs along the north-western edge of the proposed development area.

Taking the above in to account, we would recommend that the whole of the proposed development site be the subject of field evaluation by means of geophysical survey, using more up to date techniques and equipment. This should then more clearly show the extent and, possibly, the nature of any below ground archaeological remains in this location.

The required pre-determination archaeological evaluation would also be in line with NPPF para 189 which requires developers to assess and understand the impact on the significance of heritage assets of their developments. The archaeological work should be carried out by a suitably qualified archaeological consultant/consultancy (Chartered Institute of Archaeologists Registered) to a written scheme of investigation which is to be approved by ourselves.

5.7. Land Drainage

The development is located in an area of low flood risk according to the EA Flood Maps and the Council's SFRA. This is also confirmed by the Council's Integrated Urban Drainage (IUD) Model. However, the site is very close to the Holly Brook and in close vicinity to other areas that are at higher risk of flooding. So the impact of the development on local flood risk is an important consideration.

The site may be vulnerable to residual risk of flooding in the event of an extreme flood event or a blockage of the Holly Brook, however this type of development in this location is acceptable in principle.

However, the existing site is greenfield in nature, and consequently any impermeable surfacing associated with the development will increase the risk flood risk locally unless the additional runoff is managed using a sustainable drainage system. The applicant has submitted a drainage strategy, on which we have the following comments:

1. The Drainage Strategy has suggested that the Qbar rates for the site are used, which is supported. In particular, it is suggested that this equates to 4l/s for the supermarket site and 1l/s for the access road.

The drainage strategy has suggested that the access road is not restricted at this stage, and that this will instead be restricted downstream as part of the wider site development (future applications). I do not consider this acceptable as the ongoing flood risk management from the access road development will depend on uncertain future development. As part of this development, and considering the lack of outline permission on the future development, the access road drainage must be dealt with appropriately in this application.

As such, I would suggest that the access road (1l/s) is drained into the supermarket drainage (4l/s) with an overall discharge rate set at 5l/s. This may

need to be a temporary arrangement, to be altered upon future development when confirmed.

This can be dealt with at the detailed design stage and a condition attached to secure the requirement for a detailed design to be submitted for approval.

2. The proposed drainage system outlined in the Drainage Strategy does not describe a sustainable drainage scheme, but instead a piped system with a below ground attenuation tank with flow control. We would expect surface water treatment to be provided at the detailed drainage design stage, so that the scheme is compliant with Chapter 26 of the SuDS Manual. This may include permeable paving, rain gardens or bio-retention. This has been provided on other similar developments across the city that have recently been given planning permission.
3. Unrelated to drainage, but an important issue concerning future flood risk management post-development, we would need to see details of the boundary treatment adjacent to the Hell Brook which falls just outside of the red line boundary. A suitable green buffer has been provided and access to the brook for heavy machinery will be available from the Holly Brook pub side of the Holly Brook if ever necessary. However in the interests of maintaining full access to the brook as well as maintaining a viable biodiversity corridor along the brook, we would object to any fencing being placed along the site boundary adjacent to the brook. No obstacles should be present along this stretch of the brook.

If point 3 is confirmed acceptable by the applicant (and only if this is the case) we could then support the development provided the permission is accompanied by a suitable planning condition which can be confirmed at this point.

5.8. Derbyshire Wildlife Trust:

The application seeking permission for the erection of a retail unit with new access and car parking is supported by an Ecological Appraisal prepared by WYG dated 16th April 2019. The appraisal is informed by an Extended Phase 1 Habitat Survey conducted on 2nd May 2019, which is considered to be within the optimum survey period. Consideration is also given to previous surveys undertaken on the site.

The report identifies the site to comprise an agricultural field of species-poor semi-improved grassland bounded by hedgerows with trees. All five hedgerows that form the site boundaries meet the criteria as Habitat of Principal Importance (priority habitat). We fully support the retention of all hedgerows on the site and their protection from damage during construction works. Where some removal is absolutely necessary, suitable compensatory planting will be required to ensure no net loss of linear priority habitat. It is disappointing that some hedge removal has recently occurred at the site as indicated by a strip of bare ground in the centre of the site. We are not aware of a Hedgerow Removal Notice having been submitted for the removal of this hedge and it is not believed to be part of an existing planning permission. Compensatory planting for this hedge removal is therefore required within the scheme which should be provided in the form of new hedgerow planting along the eastern boundary.

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The following condition to avoid harm to retained hedgerows and trees is recommended

“No development, including preparatory works, shall commence until a scheme for the protection of all trees and hedgerows to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be based on best practice as set out in BS 5837:2012 and ensure that no vehicles can access, and no storage of materials or equipment can take place within, the root and canopy protection areas. The approved scheme of protection shall be implemented prior to any works commencing on site and thereafter retained throughout the construction period.”

Seven mature/semi-mature Oak trees on the site were assessed as having suitability for roosting bats. It is understood that only one of the seven trees with bat roost potential (TN5) is to be removed to facilitate the development. Given the tree's low bat roost potential we advise that the tree should be subject to a soft-felling approach in line with current best practice guidance as recommended in section 5.3.1 of the Ecological Appraisal. This should be secured by a planning condition.

A small stream lies on the northern site boundary but this was not considered suitable to support otter or water vole. We concur that this is likely to be an accurate assessment.

On the basis of the submitted ecological information we advise that great crested newts, badger or reptiles should not be affected by the proposed development.

We support the various proposed enhancement measures recommended in the appraisal report including the provision of bat and bird boxes and the use of nectar-rich plants within the landscaping. We would also advise that the landscape bank areas shown on the Site Plan should include the establishment of wildflower meadows in order that the development is able to demonstrate a net gain in biodiversity in line with the National Planning Policy Framework and Policy CP19 Biodiversity of the Derby City Local Plan. These should be set out in an Ecological Design Strategy secured by a planning condition.

“No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Details of retained habitats and suitable protection measures*
- b) Details of newly created habitats including hedgerows and wildflower meadow*
- c) Locations and specifications for a range of bat and bird boxes.*

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

It is noted that no details appear to have been provided in respect of the storm water attenuation scheme apart from that the surface water storage area will be located on the site and that it will be located below ground before discharging into the Holly Brook. This approach is disappointing in that above ground surface water storage areas provide significant opportunities to benefit biodiversity. Further consideration

should therefore be given to the creation of a surface water attenuation feature to benefit biodiversity as well as performing a drainage function.

The ongoing maintenance of all retained habitats and landscape areas should be covered by a Landscape and Ecological Management Plan (LEMP) secured by a planning condition:

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.*
- b) Ecological trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management options for achieving aims and objectives.*
- e) Prescriptions for management actions.*
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a fifteen-year period).*
- g) Details of the body or organisation responsible for implementation of the plan.*
- h) Ongoing monitoring and remedial measures.*

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

5.9. Police Liaison Officer:

There are no objections in principle to the siting of a large retail store in this location, subject to the satisfactory resolution of detailed matters raised below.

My main concern regarding layout is the proposal to run main pedestrian access from Rykneld Road in the far north-west corner of the site, continuing along the neighbouring woodland between the site and Hollybrook public house.

There is open access into this woodland directly next to the transition point, and within this land signs of anti-social misuse. Consequently in my view running a public footpath tight up to this area presents an un-necessary risk to more vulnerable pedestrians.

I appreciate the advantages in separating foot access from all vehicle movement in this way, but on balance would recommend that the access path is moved south west

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along Rykneld Road, to a more open and safer location, probably running in a straight line from road to store entrance.

If it is felt that this isn't possible, then as a minimum the peripheral site boundary, and if possible the open land identified, subject to ownership agreement, should be provided with a secure and open boundary treatment, most likely in 2m high green or black powder coated welded mesh form.

In respect of other boundaries, whilst not set out in plans, part 5.5 of the supporting design and access statement makes mention of enclosure to the eastern and northern store boundary by 2m high close boarded timber fencing.

As far as I can make out only a retaining wall is currently shown in this location.

The full detail and location needs to be confirmed, either within approved plans or by way of a boundary treatment condition. My recommendation being that this fence should run from the stores north-west corner around the external site boundary to a convenient point for enclosure on the stores south eastern boundary, with associated access gates provided.

Lighting is also raised within the design and access statement with no detail provided. I'd ask that a full external lighting layout plan is subject to a condition of approval. There is an aspiration to switch off lighting out of store trading hours. I'd recommend that store is provided with a low level uniform bulkhead mounted lighting provision around the visible store elevations as part of any agreed scheme, and that this part of the provision only remains lit throughout the hours of darkness.

As part of the stores general security provision I'd ask that all external public parking areas, cycle racks, public walkways and the main store entrance, are monitored by a CCTV system, with images retained within the store for scrutiny in connection with any incident on site. Probably another matter for condition.

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)

- CP1 (a) Presumption in Favour of Sustainable Development
- CP1 (b) Placemaking Principles for Cross Boundary Growth
- CP2 Responding to Climate Change
- CP3 Placemaking Principles
- CP4 Character and Context
- CP9 Delivering a Sustainable Economy
- CP10 Employment Locations
- CP12 Centres
- CP13 Retail and Leisure Outside of Defined Centre

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CP16	Green Infrastructure
CP19	Biodiversity
CP23	Delivering a Sustainable Transport Network
AC20	Rykneld Road
MH1	Making it Happen
CP1 (a)	Presumption in Favour of Sustainable Development
CP1 (b)	Placemaking Principles for Cross Boundary Growth
CP2	Responding to Climate Change
CP3	Placemaking Principles

Saved CDLPR Policies

E13	Contaminated Land
E17	Landscaping Schemes
E21	Archaeology
E24	Community Safety
T10	Access for Disabled People
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:

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_2017.pdf

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

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

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. Employment Land and Comprehensive Development

7.2. Retail Policy & Design and Layout Issues

7.3. Site Accessibility, Parking and Highway Safety Issues

7.4. Other Issues

7.1. Employment Land and Comprehensive Development

The application site forms part of a strategic mixed-use allocation identified in the Derby City Local Plan Part 1. Policy AC20 allocates land on either side of Rykneld Road (including the application site) for the delivery of a minimum of 900 high quality new homes as part of a larger growth area including the development of a further 1,200 new homes at the Highfields Farm site in South Derbyshire. Policy AC20 sets out a number of requirements which the Council expects development in this area to adhere to. AC20 states that the Council will require:

- (a) a coordinated approach to development, taking account of the Highfields Farm allocation within South Derbyshire;
- (b) a new primary school and contributions to the extension of local Secondary Schools;
- (c) the expansion of Heatherton Neighbourhood Centre to provide extended shopping facilities and community uses, including a small supermarket. Expansion should complement the provision of similar facilities within the South Derbyshire element of the development;
- (d) employment uses on land adjacent to the enlarged local centre, providing at least 2.4 hectares of B1 development
- (e) measures to encourage alternative forms of transport to the car;
- (f) high quality pedestrian and cycle routes within the site and links between these and existing or proposed routes beyond the site
- (g) the provision of two access points to each part of the site and on-site and off-site road and junction improvements, including improvements to the A38 / A50 junction prior to the occupation of the 500th dwelling and improvements to the Chain Lane / Burton Road / Pastures Hill / Hillsway junction prior to the occupation of the 300th dwelling
- (h) attenuation measures for noise generated by vehicles on the A38
- (i) appropriate flood mitigation measures
- (j) measures to enhance the green infrastructure and biodiversity networks

The Policy goes on to state that, 'the Council will continue to work with South Derbyshire District Council and developers to ensure that development proposals offer a holistic vision for a new suburb that are delivered in a comprehensive manner across local authority boundaries'.

Land on both sides of Rykneld Road has been allocated for mixed use development for many years, with the AC20 allocation having been carried forward largely unchanged from the City of Derby Local Plan Review (CDLPR), adopted in 2006, where the land was referenced as 'H9'.

A Supplementary Planning Document (SPD) to guide the development of this area was published in 2008, supporting the provisions of CDLPR Policy H9. As Policy AC20 largely carries forward the provisions of H9, the SPD remains a material consideration, although it is acknowledged that the weight that can be attributed to it has reduced.

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Planning Control Committee resolved to grant an outline planning application for part of the allocated area in 2013. The application included provision of 800 homes, business units, community facilities, commercial uses (including A1) and a new Primary School. The application remains undetermined as the S106 agreement has not been progressed by the applicant.

The SPD and outline planning application envisage the development of B1 uses on the application site, with the extension to the Neighbourhood Centre identified further to the east, accessed from a new road linking onto Hollybrook Way, between the Church and medical centre.

The inclusion of employment land in the policy requirements was challenged by the then landowners of the application site at the Local Plan Part 1 examination in 2016, on the grounds of market interest and deliverability. The Inspector concluded that it is unsurprising that there has not been recent progress with the B1 aspect, given the uncertainties about the development of the wider site. He went on to acknowledge that,

‘although the allocation would be small it could still provide a significant number of local jobs. The site is well related to the A38. There are clear benefits from providing some employment close to a major cross boundary new housing allocation. Notwithstanding the other offers in the employment land supply in Derby, in this context it would be premature to delete the employment uses from the allocation. It cannot be concluded that there is no reasonable prospect of it being used for that purpose’.

Based on the policy context set out above, the question is whether this standalone planning application is acceptable in principle.

There is a longstanding aspiration to see the development of employment uses in this area. The policy requirement has been carried forward from the 2006 CDLPR and before that from the 1998 plan, which envisaged a much larger employment area. This aspiration is reflected in the SPD. There are considered to be sustainability benefits in seeking employment uses in this area due to the good links with the A38 and the overall amount of residential growth planned in this area, as acknowledged by the Planning Inspector examining the most recent Local Plan. It also provides an opportunity to at least partially re-balance employment land supply provision within Derby, which is heavily weighted towards the river corridor in the north and east and the Rolls-Royce Aerospace Campus to the south, with very little employment land to the west.

The SPD is indicative, showing how the provisions of Policy H9 (and now AC20) could be delivered on-site. If a significant proportion of the area identified in the SPD for employment uses is to be developed for a foodstore, the Council needs to be content that the policy requirement of delivering 2.4ha of employment can be met elsewhere within the allocated area. As the application is standalone with no accompanying masterplan to show how policy requirements could be delivered across the wider area, there is a risk that future phases will not be policy compliant.

Alternatively, the applicant could make a case to demonstrate that the requirement to include employment land as part of the development of the area is no longer reasonable due to evidence around market demand and deliverability. No such

evidence has been submitted by the applicant and the conclusions of the Planning Inspector examining the Local Plan remain valid.

The consideration of this standalone development raises a number of even more substantive issues in relation to the overall comprehensive development of the allocated area. AC20 is clear that the vision for the area should be holistic and delivered in a comprehensive manner, whilst Policy MH1 goes on to state that, 'the Council will only permit proposals for new development where a comprehensive and co-ordinated approach to both phasing and infrastructure can be demonstrated'.

The applicant has stated that the proposed new Aldi will be the first phase of the eastern part of the allocated Rykneld Road site. Whilst this may be the case, the applicant has not provided any evidence to suggest how the development of the application site will facilitate the development of the other allocated areas and there is no evidence to suggest that all of the other landowners and interested parties are signed up to this approach. Without further evidence on how this proposal intends to deal with issues of comprehensive development across the local plan allocation, in terms of the implications for the delivery of the employment land required by the policy and how development of this site will provide the links to 'open up' development land on the eastern side of the allocations; there remain significant concerns that the applications site will be developed in isolation. This lack of a comprehensive approach leads to risks the delivery and viability of future phases of the allocated land on the eastern side of Rykneld Road, by limiting access and layout opportunities. These concerns are further compounded by the design and layout of the application scheme and how this relates to the existing neighbourhood centre and the remaining development land to the east. These concerns are discussed in further detail below.

7.2. Retail Policy Issues & Design and Layout

The site is located to south of Heatherton Neighbourhood Centre. Policy AC20 identifies a requirement to expand the existing Neighbourhood Centre and makes reference to the provision of a small supermarket. AC20 acknowledges that expansion should complement the provision of similar facilities in South Derbyshire and the supporting text to the policy highlights that expansion could include the provision of 1,000sqm (net) of convenience floorspace and should be well related to the existing centre.

This objective is also reflected in Policy CP12 which identifies the allocated AC20 area for a new or extended centre to support the creation of a growing community. CP12 goes on to note that, '*proposals in this location should be of an appropriate scale for the level of growth proposed and should not have an unacceptable impact on the vitality and viability of other centres in the shopping hierarchy. Where necessary, the Council will impose conditions on new centres to ensure they remain consistent with their expected role and function*'.

Whilst the objective of expanding the centre is clear, the policy and associated Policies Map does not identify where the expansion should occur. The only guide is the SPD. The application site is therefore not technically covered by a 'centre' designation and is therefore considered to be an edge-of-centre location.

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On the basis that the proposal is located in an edge-of-centre location, the main policy considerations are whether the proposal is compliant with the provisions of the sequential and impact tests, as set out in the NPPF and Policy CP13 (Retail and Leisure Outside Defined Centres) of the DCLP1.

Sequential Test:

As the site of the proposal is considered to be edge-of-centre the applicant is required to consider all in-centre locations falling within the Primary Catchment Area (PCA) of the proposal. Therefore, the starting point for considering compliance with the sequential test is to identify the PCA of the proposal.

Whilst no longer a specific policy test, identification of the PCA fundamentally relates to an understanding of the retail 'need' or 'deficiency' which the proposal intends to satisfy. In identifying the objective of expanding the existing Neighbourhood Centre through the provision of a small supermarket, the Council has already identified a need / deficiency in this area, associated with the planned residential growth in this part of the city and beyond. It is therefore logical for the need to be met in the most sustainable location to meet this identified need. It should be noted that the proposed overall sales floorspace is in excess of the figure suggested in the supporting text of the policy, although the convenience floorspace is stated to be 1,052sqm, based on an 80:20 split between convenience and comparison goods. The scale of proposed convenience sales floorspace is therefore considered to be of the same magnitude as that suggested by the supporting text of the policy and will serve a similar function to that originally intended. It is a commercial reality that foodstores of this nature generally trade in the 1,200sqm-1,500sqm (net) bracket.

The applicant has identified the extent of the PCA for the proposed store at Appendix 1 of the Retail Statement. The suggested PCA incorporates the south-west of the City outside of the ring road and extends to areas well beyond the city boundary into South Derbyshire and includes villages such as Willington, Stenson, Findern and Burnaston. The PCA incorporates Mickleover and Sinfin District Centres as well as Heatherton Neighbourhood Centre.

The PCA appears to be roughly based on a 5 minute drive time isochrone and appears to be broadly logical for a store in this location and of the scale proposed. Whilst the presence of the existing Aldi store at Manor Parkway will undoubtedly have some impact upon the definition of the PCA, the fact that this store is recognised as overtrading and the accessible location of the proposed store could suggest that it will be attractive to shoppers further east of the PCA boundary, incorporating the residential areas closer to the ring road. On this basis, it would have been preferable for the applicant to have also taken into account Littleover District Centre. I will return to this point later in the report.

Based on the extent of the PCA, the applicant has considered 8 alternative locations, set out below:

1. Land adjacent to The Christian Haven, Hollybrook Way, Heatherton
2. Unit 2 Sinfin Shopping Centre, Sinfin
3. Unit 22 Sinfin Shopping Centre, Sinfin
4. 24 Uttoxeter Road, Mickleover

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5. Land at the Corner of Uttoxeter Road and Limes Avenue, Mickleover
6. Highfields Housing Allocation
7. Wragley Way Housing Allocation
8. Land West of Mickleover Housing Allocation

In terms of site 1, the applicant concludes that the site is not large enough to accommodate the scheme as proposed and is unlikely to be viable due to lack of main road frontage. It's accepted that the land parcel alone is not large enough to accommodate the proposed store and parking areas, however land to south (also in the control of the applicant) also forms part of the allocation and is the area identified for the extension to the Neighbourhood Centre in the SPD. A parcel of land could be assembled to accommodate the proposed store, a large part of which would be within the defined boundary of the centre and would be sequentially preferable to the proposal site.

In terms of viability, there is a commercial reality that operators such as Aldi require main road frontage. Nonetheless, the 'need' being satisfied is largely derived from new residential growth in the immediate area, rather than bypass trade from the main road. There is therefore an argument that a location at least partially within the definition of the centre (designed to serve the area) would be preferable and more sustainable to that proposed by the applicant.

I am in agreement with the applicant with the reasons to discount sites 2, 3, 4, 5 and 6. I also agree that the proposed centres at Wragley Way (7) and the Newhouse Farm (8) site would not provide sustainable or logical locations to meet the needs of the enlarged community in the Heatherton area.

As noted above, the actual PCA of the proposed store is likely to extend further east, beyond the boundary identified by the applicant. On this basis, Littleover District Centre comes into consideration. However, from knowledge of the centre and consideration of similar applications, there are no alternative sites within the centre that could be considered suitable, available and viable.

In summary, the only alternative site that could potentially be considered to be sequentially preferable is site 1. This area in conjunction with land to the south (also in the control of the applicant) is the most logical parcel of land that could provide a functional extension to the existing centre and is the area identified for such purposes in the SPD. Nonetheless, the applicant has raised concerns about the viability of building a foodstore of the nature proposed in this area, due to a lack of main road frontage. There is a commercial reality that operators such as Aldi require main road frontage. Operators willing to locate more centrally within the allocated area are more likely to be of a scale and nature more akin to the Co-op store already operating within the Heatherton and Highfields Farm Neighbourhood Centres.

The policy objective is to attract more of a 'main food shop' operator, as opposed to a further 'top up' or basket store operator, in order to try and secure greater retention of convenience expenditure generated in the area, reduce leakage to other zones and overall create more sustainable shopping patterns. Deep discounters such as Aldi and Lidl are generally of a scale that can meet this objective and are the main operators that are in the market for new stores in the current economic climate.

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Therefore, the reality is that in order to achieve the policy objective of securing a main food shop destination and enabling the function of the existing centre to be upgraded to District Centre status, we're likely to have to accept a site with at least some main road frontage / visibility. On this basis, it can be concluded that the proposal meets the provisions of the sequential test. Notwithstanding this, it should be noted that the application site is not the optimal solution in terms of its ability to provide integration with and a logical extension to the existing centre. In this context, the layout and orientation of the proposed store and links to the existing centre are fundamental to ensure that the proposal functions as an extension to the Neighbourhood Centre as opposed to a standalone store. This issue is addressed later in the report under the heading of 'Design and Layout'.

Impact:

Paragraph 90 of the NPPF is clear in stating that proposals which would have a significant adverse impact on the factors set out below should be refused:

- existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- town centre vitality and viability, including local consumer choice and trade in the town centre and wider retail catchment;

Regardless of scale, the emphasis is on applicants to demonstrate that their proposal will not have significant adverse impacts, in terms of the factors set out above. Policy CP13 in the DCLP1 specifically requires proposals of in excess of 1,000sqm (gross) to submit a full impact assessment in order to demonstrate compliance with this requirement.

It is important to remember that quantitative impact assessments are merely indicators of potential trade diversion and cannot ever fully represent the complexities of shopper behaviour and retail dynamics. They are generally based on a huge number of assumptions (importantly including the operator) and therefore can only ever provide a guide and are not a decision making tool. It should also be remembered that the Council has pro-actively identified a 'need' for new convenience shopping floorspace in this location due to the planned growth in the residential population. Notwithstanding this point, the most obvious way in which a new retail proposal can have a negative impact upon an existing centre is through trade diversion.

The starting point for considering trade diversion is to determine the potential turnover of the proposed store. The applicant predicts an overall turnover of around £15m, of which £12.5m is expected to be derived from convenience goods sales with the residual £2.5m coming from comparison goods sales. This is based on an 80:20 split, the merits of which are discussed in more detail later in the report. Turnover figures of this magnitude are in the region of what would be expected for a store of this scale and nature. 80% of the store's turnover is expected to be derived from within the PCA, with 20% coming from 'inflow' from outside the PCA. Again, these assumptions appear logical for a store of this scale and nature.

The applicant has used the Council's 'Retail Capacity Partial Update' as the basis for calculating population estimates, but has amended other variables accordingly to reflect more up to date information. The Council's Retail Capacity Partial Update was

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published in 2015 to support strategic level plan making and the examination of the Council's Local Plan Part 1. It was not intended to support individual applications and has since been superseded by the Council's newly published Retail and Centres Study (July 2019). Given that the applicant has manually updated a number of the assumptions, the use of the older study as a basis is not a major concern.

Based on the applicant's assumptions, the most significant proportion of convenience turnover will be diverted from the following locations:

- £3.4m from Asda in Sinfin District Centre
- £2.1m from Tesco in Mickleover District Centre
- £1.0m from Asda in Spondon
- £0.9m from Sainsbury's at Kingsway
- £0.9m from Aldi at Southmead Way
- £0.6m from Morrisons at Meteor
- £0.5m from Sainsbury's at Wyvern
- £0.4m from Aldi at Coleman Street
- £0.4m from Aldi on Burton Road
- £0.3m from Sainsbury's on Osmaston Park Road
- £0.3m from Morrisons in Burton on Trent
- £0.2m from Lidl in Normanton District Centre

In addition to the above, £1.2m is expected to be diverted from 'other' stores, reflecting the accessibility of the site and the 20% inflow assumption. £0.025m is expected to be diverted from the Co-op in Heatherton Neighbourhood Centre.

The majority of stores expected to be impacted by the proposal are located in out-of-centre locations and therefore do not receive any policy protection. Policy is concerned with protecting the vitality and viability of in-centre locations such as Sinfin, Mickleover and Normanton Road District Centres.

Given the proximity of Littleover District Centre, I would have anticipated some degree of trade diversion from existing stores such as the Co-op and Iceland to have been shown in the assessment. In addition, I find some of the diversion patterns to be somewhat illogical. For example, I struggle to be convinced that more turnover will be diverted from Asda at Spondon than the existing Aldi in Littleover and that more turnover will be diverted from Sainsbury's at Wyvern than the Sainsbury's at Osmaston Park Road or existing Aldi stores on Burton Road and Coleman Street. In reality, I would anticipate that a greater proportion of the turnover of the store will be diverted / 'cannibalised' from existing Aldi stores. People who want to shop at an Aldi already have options in Derby. The new store will simply provide a more convenient option to shoppers in the PCA. Given that none of the existing Aldi stores are within District Centres, greater impact on these stores is not a concern.

£3.4m diverted from Asda at Sinfin would equate to a 4.8% impact on the turnover of the store, which is not insignificant. £2.1m from Tesco at Mickleover would equate to

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a 3.7% impact, whilst £0.2m from Lidl at Normanton Road would equate to a 1.8% impact and £0.025m from the Co-op at Heatherton Neighbourhood Centre would equate to a 2.1% impact. I would also anticipate some impacts of in this region of magnitude on the Co-op in Littleover District Centre, although this hasn't been recorded by the applicant.

Impacts of this magnitude should be capable of being absorbed by operators such as Asda and Tesco, particularly as the recently published Retail and Centres identifies that both of these stores are significantly overtrading¹. These centres (Sinfin and Mickleover) are also considered to be in a healthy and viable state. I am more concerned about the suggested 2.1% impact on the existing Co-op within Heatherton Neighbourhood Centre. I would anticipate that the loss of trade will be significantly greater than the £0.025m stated by the applicant, resulting in a more significant degree of impact. However, this clearly needs to be balanced against the Council's stated intention of providing additional convenience retail facilities and expanding the function of the Centre. A degree of trade diversion therefore has to be expected in this context. Importantly, due to the different nature of the offering (i.e. top up vs. main food shop), impacts on the Co-op are unlikely to be 'significantly adverse', which is the bar set by national policy. It should also be noted that the impact estimates assume trend based population growth, as opposed to 'policy on' taking account of the significant planned growth in the area. The amount of available expenditure in the catchment is therefore likely to be greater than the estimates suggest, potentially reducing the level of impact on individual stores.

We have generally sought to limit 'ancillary' or 'complementary' non-food comparison sales from out-of-centre and edge-of-centre locations to <15% of the total sales floor space to ensure that the floor space can only function in a genuinely ancillary or complementary role and not challenge the primacy of centres as comparison good shopping destinations. This approach has been taken in order to protect the Council's overall retail strategy as set out in CP12 and CP13.

It is generally considered that where such floor space exceeds 15%, it is no longer ancillary or complementary as it performs a more fundamental role within the business model. Where figures in excess of 15% have been permitted, it is generally where a specific robust case to allow such sales has been made. It should be noted that restrictions limiting the amount of comparison goods sales to 15% of the total sales floor space have been accepted by Aldi at their Coleman Street store, at their recently opened Normanton Road / Burton Road store and at their recently extended store at the Meteor Centre.

In this specific case, the applicant is seeking permission for comparison goods sales from 20% of the net sales area, providing an estimated turnover of £2.5m, of which £2.04m will be derived from the PCA. They have argued that the comparison goods floorspace will supplement and support the wider function of the store

Whilst the level of comparison turnover is not insignificant in itself, the nature of such sales from deep discounters such as Aldi means that there is unlikely to be sustained periods of trade diversion from any single in-centre operator. Growth in comparison expenditure will also help to mitigate potential impacts. The main issue in

¹ The estimated turnover of the store compared to the company average.

relation to comparison sales is the potential impact on overall retail strategy, if we permit in excess of 15% of net sales area and general compatibility with the provisions of Policy CP13, which seeks to restrict the sale of a range of comparison goods from locations that are not within defined centres.

In order to protect the Council's retail strategy, rather than imposing a blanket condition to ensure that comparison floor space equates to no more than 15%, it is instead recommended that a condition that limits the sale of all of the goods listed in the supporting text of Policy CP13 to no more than 15% of the sales floor space is imposed. This provides the applicant with some level of flexibility, whilst protecting the Council's overall strategy and is line with CP13 which is clear that in regard to new and extended centres, where necessary, the Council will impose conditions to ensure they remain consistent with their expected role and function.

In the case of the Coleman Street store a condition was imposed restricting the sale of newspapers, tobacco and magazines in order to try and protect the vitality and viability of a nearby neighbourhood centre. Officers feel there would be justification to impose the same condition in this case, in order to mitigate some potential trade diversion from the existing Co-op store located within the adjacent Neighbourhood Centre.

There is no evidence to suggest that the proposal will have a significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.

In summary, whilst impacts are not expected to be 'significantly adverse', it will be important to ensure that the new store is adequately integrated into the existing Neighbourhood Centre in order to maximise opportunities for linked trips and support the turnover of the existing Co-op store. The issue of layout, design and integration is considered next.

Design and Layout:

The NPPF recognises that good design is a key aspect of sustainable development and is clear at Paragraph 124 that permission should be refused for poor design that fails to take opportunities to improve the character and quality of an area and the way it functions. Policy CP3 of the DCLP1 expects high quality, well designed developments that will help raise the overall design standard of the city. It expects developments to incorporate high quality architecture which is well integrated into its setting and exhibits locally inspired or distinctive character. Policy CP4 of the DCLP1 requires that all proposals for new development will be expected to make a positive contribution towards the character, distinctiveness and identity of our neighbourhoods.

One of the key considerations in this regard is whether the proposal, in terms of its design and layout, takes the opportunity to improve the area in terms of its functionality. As already noted the Council has a stated aspiration to see Heatherton Neighbourhood Centre enlarged in order to enhance its functionality and better meet the needs of existing and planned residential development in this area of the city. The SPD identifies a logical location for this enlargement to occur, to the rear of the existing medical centre and church, fronting a new north / south road with direct access into the existing centre. The scheme as proposed would see the development

of a new food store to the rear of the Hollybrook PH, to the west of the area suggested in the SPD, with access taken from a new junction with Rykneld Road. The store would face southwards, turning its back on the existing centre, surrounded by parking to the south and west.

As proposed, the scheme pays little regard to the presence of the existing Neighbourhood Centre and appears to have been designed as a standalone store with no direct linkages back to the existing Centre. Attempts to provide integration are limited at best (widening of footway on Rykneld Road), with no clear and direct pedestrian route linking the two areas. This will limit opportunities for linked trips, potentially impacting the health of the existing centre. Given this absence of integration and reliance of car borne visitors it is overtly a stand-alone store. In the context of the Council's aspiration to see the existing centre enlarged, the layout fails to take opportunities to improve the way the area functions, providing a standalone development as opposed to an integrated and well considered extension. As proposed, the proposal is in conflict with Paragraph 124 of the NPPF.

In terms of other design and character issues, it is also considered that the standard format design of the proposed retail store and the layout, which is dominated by a large car parking area, would represent a poor solution to the redevelopment of the site and, as such, would be contrary to Policies CP3 and CP4 of the CDLP1, together with the overarching guidance within the NPPF which seeks to achieve high quality developments, which add to the overall quality of an area.

Retail Policy, Design and Layout Conclusions:

The Council has identified a need to expand Heatherton Neighbourhood Centre to enhance its function and help to meet the convenience shopping needs of the increasing population of this part of Derby in a sustainable manner. The principle of a new foodstore in this general location and broadly consistent with the scale proposed is therefore accepted. The Local Plan does not designate where the extension should occur and the only guidance is provided by the SPD, which identifies land to the east of the proposal site. The proposal site is therefore considered to be an edge-of-centre location in retail planning terms. In this context, the applicant is required to demonstrate compliance with the sequential test whilst we need to be sure that the proposal will not lead to significant adverse impacts on centres.

Sequential Test – A number of alternative sites / locations have been identified by the applicant and discounted for appropriate reasons. The only alternative site that could potentially be considered to be sequentially preferable is the land between the existing medical centre and church within Heatherton District Centre. This area in conjunction with land to the south (also in the control of the applicant) is the most logical parcel of land that could provide a functional extension to the existing centre and is the area identified for such purposes in the SPD. Nonetheless, the applicant has raised concerns about the viability of building a foodstore of the nature proposed in this area, due to a lack of main road frontage. There is a commercial reality that operators such as Aldi require main road frontage. Therefore, the reality is that in order to achieve the policy objective of securing a main food shop destination and enabling the function of the existing centre to be upgraded to District Centre status, we're likely to have to accept a site with at least some main road frontage / visibility. On this basis, it can be concluded that the proposal meets the provisions of the

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sequential test. Notwithstanding this, it should be noted that the application site is not the optimal solution in terms of its ability to provide integration with and a logical extension to the existing centre. In this context, the layout and orientation of the proposed store are fundamental to ensure that the proposal functions as an extension to the Neighbourhood Centre as opposed to a standalone store. The current proposal fails in this regard.

Impact – As demonstrated by the applicant, the proposal will result in trade diversion from a number of existing retail locations, the majority of which are out-of-centre and therefore do not receive policy protection. Some of the trade draw patterns identified by the applicant appear slightly illogical; however any adjustments in this regard are only likely to result in reduced diversion from out-of-centre stores on the east side of the city at the expense of out-of-centre stores in closer proximity to the application site. The most significant levels of trade diversion from in-centre locations will be from Tesco within Mickleover District Centre and Asda within Sinfen District Centre. Both of these stores are estimated to be overtrading significantly and trade diversion of the magnitude suggested by the applicant should be absorbed without undermining their ongoing viability. It is also relevant to note that the impact estimates provided by the applicant are ‘policy off’ and do not take account of the significant planned residential growth in this area, thus increasing the level of available expenditure and reducing potential impacts.

In order to protect the Council’s retail strategy, an appropriate condition should be imposed, limiting the proportion of sales floorspace that can be used for the sale of specific comparison goods, as listed in the supporting text of CP13. In addition, further conditions should be imposed to limit the net sales area to 1,315sqm and to restrict the sale of newspapers, tobacco and magazines in order to try and protect the vitality and viability of the adjacent Neighbourhood Centre. Impacts on the existing Co-op store within the adjacent Neighbourhood Centre are likely to be significantly greater than that stated by the applicant, although it is acknowledged the existing and proposed stores do provide a different function. Nonetheless, deep discounters do to an extent provide a top up function. Impacts on the existing centre are likely to be exacerbated if the layout of the proposed new store does not integrate with the existing centre, providing opportunities for linked trips. The applicant has made reference to the potential for the existing Co-op to receive additional trade due to the presence of the proposed store. This will only happen if the layout and orientation of the new store actively facilitate linked trips.

The design and layout of the new store is fundamentally related to the retail policy considerations. As proposed, the scheme pays little regard to the presence of the existing Neighbourhood Centre and appears to have been designed in as a standalone store. In the context of the Council’s aspiration to see the existing centre enlarged, the layout fails to take opportunities to improve the way the area functions, providing a standalone development as opposed to an integrated and well considered extension. The creation of a store designed in a standalone manner will mean less chance of people visiting the existing centre and those people that do visit both locations are more likely to drive, due to the absence of a clear and direct pedestrian link between the two areas. As proposed, the proposal is in conflict with Paragraph 124 of the NPPF.

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7.3. Site Accessibility, Parking and Highway Issues

The application is accompanied by a Transport Assessment and a Travel Plan. This information is currently being reviewed by the Highways Officer. Members will be advised on these issues through a separate written update in advance of the Committee meeting, or orally at the meeting itself.

7.4. Other issues

Residential Amenity Considerations

The proposed retail unit would be set a substantial distance from neighbouring properties, the nearest being approx. 80m to the west and approx. 130m to the south. Given the distances involved the proposed development is unlikely to result in any detrimental impact on nearby dwellings through overlooking, loss of light, overbearing or general massing issues. The main concerns in respect of residential amenity are considered to be the possible increase noise and disturbance from deliveries/servicing, mechanical plant and from customers during operating hours, together with any issues associated with lighting from the proposed development.

Noise - The application is accompanied by a Noise Impact Assessment which considers the impact of delivery noise, car park noise, development generated road traffic and fixed building services plant. It concludes that the proposed foodstore is unlikely to give rise to any adverse noise impact at the nearest existing noise sensitive receptors. Although the report also acknowledges that the impact of the site plant cannot be fully assessed, due to a lack of information available at the time of its writing.

The findings of the Noise Assessment have been duly considered by the by the Environmental Health Officer who is generally in agreement with the suggested conclusions. To address the outstanding information, a condition is recommended to ensure chosen plant equipment complies with the noise limits detailed within the Assessment. Hours of operation and delivery hours could also be controlled through condition.

Light – Given the position of the nearest residential properties and the presence of an intervening highway, which has a number of streetlight along it, the proposals are unlikely to result in any significant harm through increase glare, or light pollution. It is considered that a condition requiring the applicant to submit full details of the location, positioning and luminance of any lighting on the site for prior approval by the Local Planning Authority prior to its installation, would adequately ensure that external lighting within the site would not cause undue light pollution/spillage to the detriment of the residential amenity of neighbouring occupiers.

Subject to the conditions recommended above, the development is not considered an unreasonable impact on the amenity of neighbours through increased noise and disturbance, or other amenity considerations. In this respect the development would reasonably comply with saved Policy GD5 of the adopted CDLPR.

Flood Risk Issues/Drainage

The proposed development is located within Flood Zone 1 (Low Probability) on the Environment Agency's Flood Maps, and the City Council's Strategic Flood Risk Assessment. The site is also situated very close to the Holly Brook which runs to its

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north and has Flood Zone 2 (Medium Risk) and Flood Zone 3 (High Risk) areas associated with it. Taking into account the undeveloped nature of the existing site, regard also has to be given to how surface water would be managed to ensure the development would not lead to an increased risk of flooding elsewhere.

Although no overriding objections have been raised to the principle of development by the City Council's Land Drainage Team; concerns have been raised in respect of the proposed Drainage Strategy. The submitted Strategy is considered to be inadequate at this stage as it fails to provide a sustainable drainage scheme, and instead proposes a piped system with a below ground attenuation tank with flow control. The Strategy also fails to adequately demonstrate how the proposed access road would be drained, until future development to the east of the site comes forward.

Based on these comments it is considered that the development fails to comply with policy CP2 of the DCLP1, together with the advice contained within the NPPF (para 165), which requires major developments to incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate. The Land Drainage Officer's comments in respect of future access for maintenance of the Hell Brook are noted. However the proposed layout would not impede direct access to the Brook and further details of boundary treatment could be controlled through. Accordingly, this particular issue isn't considered to constitute a reason for refusal.

Archaeology

There are no Scheduled Ancient Monuments, listed buildings, Conservation Areas, registered parks and gardens, or historic battlefields in the vicinity of the site. However, Rykneld Road, which runs to the north-west of the development site, was part of the Ryknild Street Roman Road (Derbyshire Historic Environment Record number: MDR 10207). Accordingly, the application has archaeological implications.

Although an Archaeological Report has been submitted in support of the application and the site has been the subject of some archaeological assessment in the past, the submitted information is now very out of date. In particular, the survey work involves the use of techniques which are no longer considered to be adequate methods of assessing below ground archaeological features (Historic England geophysics guidance 2008).

The County Archaeologist recommends the completion of further field evaluation work by means of geophysical survey, using more up to date techniques and equipment, which should then more clearly show the extent and, possibly, the nature of any below ground archaeological remains in this location. The results of this further survey work should be provided before the application is determined.

At the present time it is considered that the insufficient information has been submitted in support of the application to allow the Local Planning Authority to fully understand the impact of the development on any below ground archaeology in the area. Accordingly, the development fails to comply with the requirements of saved policy E21 of the CDLPR, together with the advice contained within the NPPF (para 189), which requires developers to submit sufficient information to understand the potential impact of a proposal on the significance of a heritage asset.

Ecology

The application is accompanied by an Extended Phase 1 Habitat Survey. The Report identifies the site as an agricultural field of species-poor semi-improved grassland bounded by hedgerows with trees. It notes that all five hedgerows within the site meet the criteria as a Habitat of Principal Importance (priority habitat). Although the development would result in some limited loss of on-site hedgerows, where essential hedgerow removal is required suitable compensatory planting is proposed. The scheme would also see the removal of one Oak tree situated close to the northern site boundary which has been assessed as having a low suitability for bat roosts. Whilst it is considered that the retention of this tree would be difficult to justify solely on ecological grounds, the visual amenity value of the tree is discussed further in the 'Arboricultural Issues' section of this report.

Derbyshire Wildlife Trust raise no overriding objections to the scheme, subject to conditions relating to the provision of compensatory hedgerow planting tree/hedgerow protection measures and tree felling methods. Conditions to address ecological mitigation, compensation, enhancement and on-going maintenance of all retained habitats and landscape areas are also recommended through the submission/implementation of an Ecological Design Strategy and a Landscape and Ecological Management Plan. However the Trust expresses some disappointment over the proposed below ground surface water storage scheme and advise that further consideration should be given to the creation of surface water attenuation features to benefit biodiversity, as well as performing a drainage function.

Based on the advice provided by Derbyshire Wildlife Trust, it is considered that it would be difficult to argue that the development would result in any significant harm in terms of its impact on biodiversity. In general, where there is an impact, suitable mitigation measures are proposed, or can be controlled through the use of appropriately worded conditions. However, the development does miss further opportunities to provide a net biodiversity gain on the site and, in this respect, would fail to comply with the requirement of Policies CP16 and CP19 of the DCLP1 and para. 170 of the NPPF.

Arboricultural Issues

The Tree Officer raises several concerns with the scheme. In particular he objects to the removal of T05, an English Oak tree located within the north-eastern of the application site, a tree which is considered to have accrued sufficient amenity value to warrant the creation of a tree preservation order. Although the tree in question is set back from the site frontage, it is visible within the streetscene from Hollybrook Way to the north and once the site is developed out, would clearly become a prominent feature within the local area. The Tree Officer also questions the feasibility of low-impact non-dig construction between the Oak trees T08 and T09, located either side of the proposed site access, and considers a greater exclusion zone is warranted around Oak trees T07 and T08, to protect their future health. Based on these comments it insufficient information has been submitted with the application to satisfactorily demonstrate how the development can be constructed without causing harm to the health and visual amenity value of retained trees on the site and as a result of the loss of Tree:T05 would fail to comply with with the requirements of Policy CP16 of the DCLP1, which seeks to maintain, enhance and manage Derby's Green infrastructure

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Sustainability

As a standard Aldi brand model the building has been carefully considered with respect to sustainable aspects of both design and construction. The site layout and building design have been considered with respect to climate change risk enabling future resilience for the building and its users. Where appropriate, lean construction systems will be used that enable delivery of consistent high quality products on time and on budget. In designing the buildings manufacturers, products systems and materials that utilise circular economic principles will be chosen where possible. Wherever possible, materials will be locally sourced and procured from certified sources. Although no specific information has been submitted to demonstrate how the development would deliver appropriate forms of sustainable design feature, it is considered that this particular issue could be addressed through a suitably worded condition in order to comply with Policy CP2 of the DCLP1.

Air Quality and Contaminated land Issues

The development has the potential to impact on local air quality due to increased vehicle trips. To address this, an Air Quality Assessment has been submitted in support of the application. The Report concludes that air quality impacts arising from operational traffic are expected to be insignificant. Although the trip generation associated with the development has yet to be verified by Highway colleagues, the Environmental Health Officer generally concurs with the Report's findings. No objections have been raised regarding construction dust impacts, subject to conditions. The Environmental Health Officer strongly recommends the incorporation electric vehicle charging points into the scheme.

A Phase 1 Geo-Environmental Assessment has also been submitted in support of the application. This Assessment is currently being reviewed by the Environmental Health Officer. Contaminated land issues will be covered by way of a written update, or orally at the Committee meeting.

Community safety Issues

The Police Liaison Officer raises no objections to the principle of the development. However concerns are raised about the creation of a pedestrian access along the northwestern corner of the site, due to its close proximity to an area of existing woodland to the north of the site. Relocation of this path is recommended or the provision of suitable, secure boundary treatment. It is considered that such detail, together with details of lighting and other security measures could be suitably controlled by condition in order to comply with saved Policy 24 of the CDLPR.

Conclusions

The Council has identified a need to expand Heatherton Neighbourhood Centre to enhance its function and help to meet the convenience shopping needs of the increasing population of this part of Derby in a sustainable manner. Accordingly the principle of a new retail unit in this general location, and broadly consistent with the scale proposed, is therefore accepted. However, there are fundamental concerns with the design and layout of the proposed retail store in terms of how the development would function as a cohesive and well related extension to the existing Neighbourhood Centre at Heatherton, as opposed to a standalone store. The lack of a comprehensive approach to development across the wider site also raises concerns over the deliverability and viability of future phases of the site allocated

under Policy AC20 of the CDLP1, and outstanding issues remain in respect of drainage, ecology and archaeology. Although comments have yet to be received on highway matters, as it stands, the development is considered to contrary to relevant Local and National Planning Policies, as outlined below.

8. Recommended decision and summary of reasons:

8.1. Recommendation:

To refuse planning permission

8.2. Summary of reasons:

- 1) Comprehensive development - In the opinion of the Local Planning Authority the application fails to satisfactorily demonstrate how the issues of comprehensive development across the wider Policy AC20 allocation site would be achieved. This includes how the Policy requirement of delivering 2.4ha of employment land can be satisfied elsewhere within the allocated area and how the development would provide the links required to 'open up' land on the eastern side of the wider development site, including the provision of pedestrian and vehicular linkages and associated infrastructure. In the opinion of the Local Planning Authority, this lack of a comprehensive approach leads to risks over the delivery and viability of future phases of the allocated land on the eastern side of Rykneld Road, limits access and layout opportunities, and could prejudice development of the wider site. The proposal thereby fails to demonstrate or plan for comprehensive or holistic growth. For these reasons the Local Planning Authority considers that the development fails to comply with Policies AC20 and MH1 of the Derby City Local Plan - Part 1.
- 2) Layout/Linkages with Neighbourhood Centre - As a result its divorced position relative the existing Neighbourhood Centre, in terms of layout and orientation, the Local Planning Authority considers that the proposed retail store would fail to provide a cohesive, well related and legible extension to the existing Neighbourhood Shopping Centre at Heatherton as required by Policies CP12 and AC20. Accessed via an independent vehicular access and orientated towards the south, the proposed store turns its back on the Neighbourhood Centre resulting in a development which is tantamount to a standalone retail store, rather than a functioning extension to the existing Centre. With poor pedestrian linkages from the development site through to the Heatherton Neighbourhood Centre and lack of a direct pedestrian or vehicular access onto Hollybrook Way, the proposal offers limited opportunities for linked trips with the wider Centre and provides a lack of connectivity with existing housing development to the northeast. The proposal fails to complement, expand or extend the existing Centre and fails to demonstrate comprehensive, integrated or holistic growth. For these reasons the development is considered to be contrary to Policies CP12, AC20 and MH1 of the Derby City Local Plan - Part 1 and the guidance contained within the National Planning Policy Framework, in particular paragraph 124.
- 3) Design/Layout Issues – In the opinion of the Local Planning Authority the proposed development, as a result of its' car park dominated layout and the

uninspiring standard format design of the retail store, represents a poor solution to the redevelopment of site and would fail to make a positive contribution the character and appearance of the surrounding locality. As such the development is considered to be contrary to Policies CP3 and CP4 of the Derby City Local Plan - Part 1 (Core Strategy) and the overarching guidance contained within the National Planning Policy Framework which seeks to achieve high quality developments, which add to the overall quality of an area.

- 4) Drainage/biodiversity – In the opinion of the Local Planning Authority, insufficient information has been submitted with the application to demonstrate how the development would be drained in a sustainable manner through the use of sustainable drainage features, and how surface water from the proposed access road would be dealt with until such time that future development plots to the east of the application site come forward. The provision of above ground surface water storage areas would also offer significant opportunities to provide net biodiversity gain on the site which the development currently fails to achieve. Without this information, the Local Planning Authority considers that the development fails to comply with saved policies CP2 and CP19 of the Derby City Local Plan – Part 1 (Core Strategy), together with the advice contained within the National Planning Policy Framework (paras 165 and 170) which encourage opportunities for net biodiversity gain and the use of sustainable drainage systems in all major developments.
- 5) Archaeology – In the opinion of the Local Planning Authority, in the absence of a geophysical survey insufficient information has been submitted with the application to allow the Local Planning Authority to fully assess and understand the impact of the development on any below ground archaeological features. Although the Local Planning Authority notes that the development site has been the subject of some archaeological assessment in the past, the submitted information is now very out of date, and the survey work involves the use of techniques which are no longer considered to be adequate methods of assessing below ground archaeological features (Historic England geophysics guidance 2008). Consequently the application fails to comply with saved policy E21 of the adopted City of Derby Local Plan Review, together with the advice contained within the NPPF (para 189).
- 6) Trees – In the opinion of the Local Planning Authority, insufficient information has been submitted with the application to satisfactorily demonstrate how the development can be constructed without causing harm to the health and visual amenity value of retained trees on the site. In particular, given the change in land levels close to the western site boundary, the Local Planning Authority questions the feasibility of constructing the site access using no-dig construction methods within the root protection areas of Oak trees (T08 and T09). The Local Planning Authority also considers that the development, as result of the removal of Oak tree (T05), would cause harm to the visual amenities of the surrounding area through the loss of an important landscape feature on the site. For these reasons it is considered that the development fails to comply with Policies CP3, CP4 and CP16 of the Derby City Local Plan - Part 1(Core Strategy).

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8.3. Informative Notes:

N/A

8.4. S106 requirements where appropriate:

The agent and/or applicant have not engaged with Officers to discuss or negotiate the draft Heads of Terms however the policy compliant contribution would be a financial highway sum towards pedestrian, cycling or public transport facilities capable of serving the site.

Members should be aware that Heads of Terms are not agreed. If Members decide to against the Officer recommendation, confirmation will be required on how they wish to deal with the s106: (1) approve with policy compliant contributions, (2) delegate negotiation of Heads of Terms or (3) resolve at a future Planning Committee.

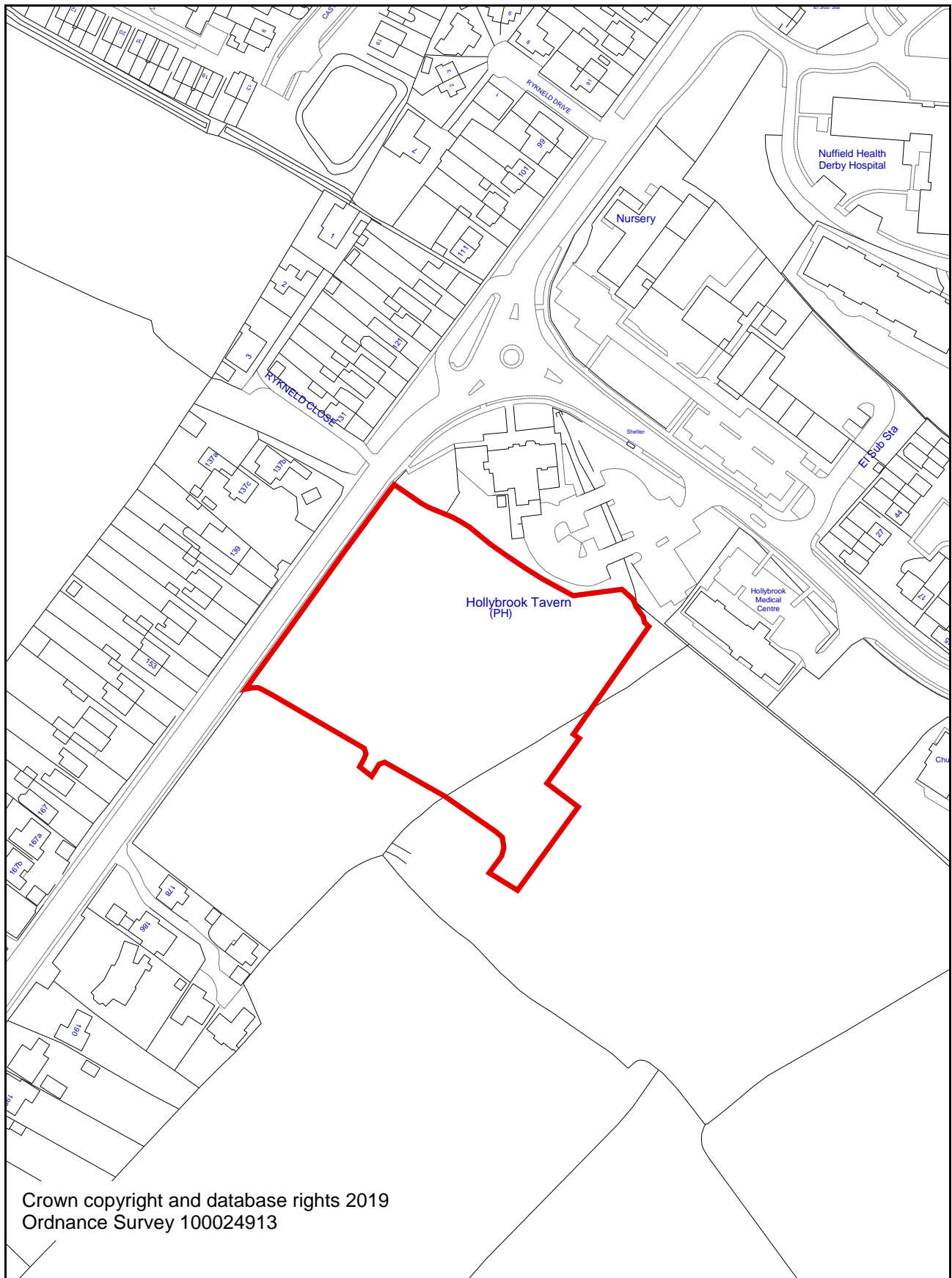
8.5. Application timescale:

The target timeframe for determination of this application is the 28th November 2019.

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Delegated decisions made between Between 01/09/2019 and 30/09/2019



Application No:	Application Type	Location	Proposal	Decision	Decision Date
01/18/00156	Compliance/Discharge of Condition	Land North West Of Mansfield Road Breadsall Derby	Residential Development (Up To 230 Dwellings) And Associated Works Including Means Of Access - Discharge Of Condition 6 Of Previously Approved Permission DER/12/15/01520	Discharge of Conditions Complete	27/09/2019
02/18/00286	Full Application	Vacant Land Uttoxeter New Road/Talbot Street Derby (Access Off Uttoxeter New Road)	Erection Of Foodstore (Use Class A1) With Access, Car Parking, Landscaping And Associated Works	Refused	24/09/2019
11/15/01451	Full Application	Site Of 8-14 Agard Street Derby DE1 1DZ	Erection of Student Accommodation Block Containing 71 Bedrooms Within 60 Units And Associated Works Including Demolition Of Existing Buildings On Site	Refused	18/09/2019
18/01728/OUT	Outline Application	Land Between 25 And 30 Whitaker Street Derby DE23 8FB	Residential development (two dwellings)	Approval	13/09/2019
18/01805/FUL	Full Application	104 Belper Road Derby DE1 3EQ	Demolition of garage. Single storey side and single storey rear extensions to dwelling house (garage and enlargement of kitchen/dining area), basement level and landscaping works to the rear elevation	Approval	13/09/2019
18/01812/FUL	Full Application	Arbourfield Lodge 83 - 87 Uttoxeter New Road Derby DE22 3NL	Change of use from a dwelling house (use class C3) to 12 flats (use class C3) including a two storey rear extension and installation of hardstanding, front boundary gates and alterations to the elevations	Approval subject to Section 106	25/09/2019
19/00064/DISC	Compliance/Discharge of Condition	The Roundhouse 1196 London Road	Change of use from Public House (Use Class A4) to 12 flats (Use Class C3) including	Discharge of Conditions Complete	03/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Derby DE24 8QG	external alteration to the north elevation - Discharge of conditions 3 and 4 of previously approved permission DER/09/14/01192		
19/00081/DISC	Compliance/Discharge of Condition	Site Of Lidl Foodstore Development Swarkestone Road Derby DE73 5UA	Demolition of existing buildings and structures and erection of (Use Class A1) retail shop, car parking and servicing areas, access and associated works - Discharge of condition 19 of previously approved permission DER/02/18/00176	Discharge of Conditions Complete	06/09/2019
19/00182/LBA	Listed Building Consent - Alterations	10 Cornhill Derby DE22 2FT	Alterations to include the retention of the re- building of a stud wall, cleaning of internal beams, opening of fireplaces, formation of a ground floor w.c. and utility room, re- positioning of boiler with a new flue outlet, laying of a floor and alterations to the stair well. Replacement of the existing cement render with lime render, replacement of roof light, door and window, re-opening of a window and installation of a window	Approval	27/09/2019
19/00190/FUL	Full Application	189 Duffield Road Derby DE22 1JB	Change Of Use From Post Office (use class A1) To Dental Practice (use class D1) and installation of roller shutters, erection of gates to the rear of property and formation of staff and customer car parking area and cycle parking.	Approval	03/09/2019
19/00236/FUL	Full Application	Land Adjacent To 151 Warner Street Derby DE22 3TR	Erection of three dwelling houses (use class C3), re-engineering of ground levels and removal of trees	Approval	02/09/2019
19/00278/FUL	Full Application	147 Station Road Mickleover Derby DE3 9FL	Demolition of the existing rear extension and garage. Two storey rear and single storey side extensions to dwelling house (kitchen.living and dining area, utility, boot room, office, w.c., two bedrooms with en-suites and bathroom), erection of a detached garage and formation of a vehicular access	Approval	03/09/2019
19/00364/FUL	Full Application	8 Jackson Avenue Derby	Two storey side, first floor rear and single storey front and rear extensions to dwelling	Refused	03/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE3 9AR	house (porch, sitting room, utility room, wet room, dining room,, bedroom, bathroom, en-suite and enlargement of kitchen), installation of rear dormers to form rooms in the roof space (two bedrooms and shower room) and erection of an outbuilding		
19/00377/FUL	Full Application	7 Walter Street Derby DE1 3PR	Single storey rear extension to dwelling house (kitchen/living area) and installation of a dormer to the rear elevation	Approval	13/09/2019
19/00423/LBA	Listed Building Consent - Alterations	Bridge Chapel St Marys Bridge Sowter Road Derby DE1 3AT	Installation of new internal lighting	Approval	04/09/2019
19/00428/FUL	Full Application	14 Darley Abbey Drive Derby DE22 1EE	First floor extension to dwelling (three bedrooms and en-suite) and installation of a new staircase to the front elevation	Approval	20/09/2019
19/00450/FUL	Full Application	Land Adjacent To 80 Burnaby Street Derby DE24 8RL	Erection of two apartments (use class C3)	Refused	13/09/2019
19/00468/FUL	Full Application	Land At The Rear Of 638 Burton Road Derby DE23 6EL	Erection of a dwelling house (use class C3)	Refused	05/09/2019
19/00492/VAR	Variation of Condition	Land At The Front Of 163 Pastures Hill Derby DE23 4AZ	Erection of a dormer bungalow (Use Class C3) and front boundary wall - Variation of condition 2 of previously approved planning permission Code No. 11/16/01437 to amend the approved plans	Application Withdrawn	03/09/2019
19/00507/FUL	Full Application	Land At The Rear Of Riverside Chambers And Cathedral View Full Street Derby	Erection of a 75 metre flood defence wall with hard landscaping and associated works	Approval	27/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/00525/FUL	Full Application	Land Rear Of Exeter House Land Off Exeter Place Derby DE1 1EW	Installation of a landing stage and formation of a path	Approval	11/09/2019
19/00575/FUL	Local Council Own Development Reg 3	Dale Community Primary School Porter Road Derby DE23 6NL	Installation of replacement windows and doors	Approval	05/09/2019
19/00600/FUL	Full Application	4A Siddals Lane Derby DE22 2DY	Demolition of garage. First floor and single storey front extensions to bungalow to form a dwelling house including alterations to the facing materials and new hard surfacing to the front driveway	Approval	04/09/2019
19/00644/FUL	Full Application	15 Wardwick Derby DE1 1HA	Change of use of part of ground floor and upper floors from public house/offices to 15 residential units for student accommodation	Refused	27/09/2019
19/00645/LBA	Listed Building Consent - Alterations	15 Wardwick Derby DE1 1HA	Alterations in association with the change of use of vacant accommodation to 15 residential units	Refused	27/09/2019
19/00661/NONM	Non-Material Amendment	38 Courtland Drive Derby DE24 0GJ	Erection of an outbuilding (garage/store) - non-material amendment to previously approved planning permission 04/18/00541 to amend the positions of the windows and doors	Approval	27/09/2019
19/00667/FUL	Full Application	8, 10, 12 And 14 St Helens Street Derby DE1 3GY	Change of use from residential/business centre to a 56 bed residential care home (Use Class C2) including three storey extensions and alterations	Approval	19/09/2019
19/00688/DISC	Compliance/Discharge of Condition	Site Of Lidl Foodstore Development Swarkestone Road Derby DE73 5UA	Demolition of existng buildings and structures and erection of (Use Class A1) retail shop, car parking and servicing areas, access and associated works - Discharge of Conditions 9 and 10 of previously approved permission	Discharge of Conditions Complete	06/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			DER/02/18/00176		
19/00699/VAR	Variation of Condition	Site Of Former Fitness Centre Carrington Street Derby	Erection Of 54 Dwellings (Use Class C3) Together With Associated Parking And Ancillary Works - variation of condition no's 2 and 4 or previously approved permission Code No. DER/12/17/01577 to amend the site boundary and revise the boundary treatments and amend ground floor glazing	Approval	26/09/2019
19/00704/FUL	Full Application	1 Isleworth Drive Derby DE22 4JR	Single storey front extension to dwelling house (porch)	Approval	05/09/2019
19/00746/FUL	Full Application	Land Off Snelsmoor Lane Derby	Alterations to highway including formation of roundabout in connection with proposed development at Snelsmoor Grange (Code No. 04/13/00351)	Approval	27/09/2019
19/00757/FUL	Full Application	Land At The Side And Rear Of 90 Parkway Derby DE73 5QA	Incorporation of land into residential curtilage	Approval	04/09/2019
19/00775/FUL	Full Application	106 Chester Green Road Derby DE1 3SF	Installation of replacement windows and a door to the front elevation	Approval	23/09/2019
19/00787/FUL	Full Application	Millenium Site Services Limited Haydock Park Road Derby DE24 8JA	Demolition of existing industrial unit and temporary structures. Erection of a replacement industrial unit	Approval	12/09/2019
19/00813/FUL	Full Application	53 Melton Avenue Derby DE23 1FZ	Two storey side extensions to dwelling house (garage, kitchen, wet room, two bedrooms and shower room) and installation of front and rear dormers to form rooms in the roof space (bedroom and en-suite)	Approval	18/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/00826/FUL	Full Application	Land Adjacent To 3 Cheam Close Derby DE22 4HY	Erection of a bungalow (Use Class C3)	Approval	27/09/2019
19/00847/VAR	Variation of Condition	Elmhurst Court Lonsdale Place Derby DE22 3LQ	Residential development together with associated works - variation of condition 11 of previously approved permission Code no. DER/08/06/01288 to form rooms in roof space, increase the height of the buildings and install rooflights	Approval	23/09/2019
19/00853/FUL	Full Application	131 Morley Road Derby DE21 4QY	Single storey side and rear extensions to dwelling (two bedrooms with en-suites, living/kitchen/dining area, office, w.c., utility and double garage) and installation of two dormer windows to the front elevation to form rooms in the roof space	Approval	27/09/2019
19/00862/TPO	Works to a tree with a TPO	Unit 8 Stoney Cross Industrial Estate Stoney Gate Road Derby DE21 7RX	Crown lift by 3m, cutting back of branches of four trees to give 1m clearance of the fence and crown reduction by 2-3m of two Horse Chestnut trees protected by Tree Preservation Order no. 46	Approval	18/09/2019
19/00866/VAR	Variation of Condition	Unit 17 Eagle Park Alfreton Road Derby DE21 4BF	Extensions and alterations to existing units and erection of 19 new units - variation of condition 1 of previously approved planning permission Code. No 10/17/01310 to include four additional windows to Unit 17	Approval	27/09/2019
19/00885/FUL	Full Application	Land Adjacent To 16 Halifax Close Derby DE21 4GT (Access Via Old Mansfield Road)	Erection of two dwelling houses (Use Class C3)	Approval	12/09/2019
19/00888/FUL	Full Application	2 Rykneld Way Derby DE23 4AS	Demolition of bungalow. Erection of a dwelling house (Use Class C3), garage and a boundary wall with gates	Approval	04/09/2019
19/00889/TPO	Works to a tree with a TPO	21 Kings Croft	Felling of a Norway Spruce tree and Pear tree	Approval	16/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Derby DE22 2FP	protected by Tree Preservation Order No. 471		
19/00891/OUT	Outline Application	Land At The Side Of 46 Swarkestone Drive Derby DE23 2PA	Residential Development (one dwelling)	Refused	04/09/2019
19/00908/DISC	Compliance/Discharge of Condition	The Silk Mill Industrial Museum 32 Full Street Derby DE1 3AF	Demolition Of Existing Extension. Alterations And Extensions To Museum (Entrance Hall, Cafe, Kitchen, Toilets, Retail Area And Plant Room) Together With Internal Refurbishment And Repairs - Discharge of condition 7 of previously approved application No. DER/06/17/00809	Discharge of Conditions Complete	30/09/2019
19/00910/CAT	Works to Trees in a Conservation Area	St Christophers Court Ashbourne Road Derby DE22 3FY	Felling of self-set Maple and cutting back of branches to give 3m clearance of the building of Maple, Lime, london Plane and Hornbeam trees within the Friar Gate Conservation Area	Raise No Objection	06/09/2019
19/00913/TPO	Works to a tree with a TPO	6 Courtland Gardens Derby DE24 0LJ	Clipping of basal growth up to a height of 3m as and when required for a period of 10 years and crown reduction by 1.5 metres of three Yew trees protected by Tree Preservation Order No. 282	Approval	16/09/2019
19/00914/FUL	Full Application	The Old Steam Mill 7 Pelham Street Derby DE22 3UG	Change of Use from Dwelling house (Class C3) to 13-bed HIMO for student accommodation (sui generis) and external changes, including insertion of new ground and first floor windows and demolition of part of existing raised patio area.	Refused	18/09/2019
19/00920/CAT	Works to Trees in a Conservation Area	16 North Parade Derby DE1 3AY	Felling of a Poplar tree and a Rowan tree and crown reduction in height by 2m and lateral spread by 0.5-1m of a Plum tree within the Strutts Park Conservation Area	Raise No Objection	06/09/2019
19/00930/TPO	Works to a tree with a TPO	The Coppice 189 Broadway	Crown reduction by 3m of an Oak tree protected by Tree Preservation Order no. 462	Approval	16/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Derby DE22 1BP			
19/00933/TPO	Works to a tree with a TPO	6 Westfield Grove Derby DE22 3SG	Crown lift by 4m, crown clean, crown reduction in height by 3m and spread by 1m (except to the west) of a Sycamore tree protected by Tree Preservation Order no. 242	Approval	16/09/2019
19/00944/TPO	Works to a tree with a TPO	Revive Healthy Living Centre Roe Farm Lane Derby DE21 6ET	Crown reduction and crown thin by 10-20% of four Cherry trees and two Plum trees protected by Tree Preservation Order no. 396	Approval	10/09/2019
19/00948/LBA	Listed Building Consent - Alterations	1 Church Street Alvaston Derby DE24 0PR	The formation of two loft access hatches in the first floor ceiling to allow for maintenance	Approval	12/09/2019
19/00954/FUL	Full Application	Garages Adjacent Lilac Court Lilac Close Derby	Substitution of house type to plot 2	Approval	13/09/2019
19/00959/TPO	Works to a tree with a TPO	10 Queen Mary Court Derby DE22 1BB	Crown lift to 2m, reduce branches by up to 1m of a Hornbeam tree protected by Tree Preservation Order no. 64	Approval	18/09/2019
19/00961/CLP	Lawful Development Certificate -Proposed	Derwent House Old Chester Road Derby DE1 3SA	Installation of replacement windows	Approval	05/09/2019
19/00962/FUL	Full Application	Land At Old Mansfield Road Derby (Near The Junction With Scarborough Rise)	Installation of a replacement 20m monopole, accommodating 12 no. antenna in an open headframe together with the upgrade of the equipment cabinets and associated ancillary development	Approval	04/09/2019
19/00968/FUL	Full Application	2 Greenwood Avenue Derby DE21 4HY	Two storey and single storey side extensions to dwelling house (sensory room, wet room, store, three bedrooms and w.c.)	Approval	04/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/00973/CAT	Works to Trees in a Conservation Area	St Werburghs House Nursing Home Church Street Spondon Derby DE21 7LL	Cutting back of branches overhanging the boundary by 2m of a Cherry tree within the Spondon Conservation Area	Raise No Objection	06/09/2019
19/00974/CAT	Works to Trees in a Conservation Area	5 The Square Mickleover Derby DE3 0DD	Felling of a Sycamore tree within the Mickleover Conservation Area	Raise No Objection	06/09/2019
19/00978/FUL	Full Application	Derby College The Roundhouse Roundhouse Road Derby DE24 8JE	Erection of a catering marquee for a temporary period (From 1 October 2019 To 7 January 2020)	Approval	12/09/2019
19/00981/TPO	Works to a tree with a TPO	67 Ford Lane Derby DE22 2EY	Felling of a Silver Birch tree protected by Tree Preservation Order no. 338	Approval	16/09/2019
19/00982/FUL	Full Application	8 Albert Street Derby DE1 2DS	Change of use from retail (Use Class A1) to artists' studios, art workshop space, cafe, art gallery and arts/crafts materials retail space (Mixed Use - Use Classes D1, A1 and A3) including installation of a new entrance, external staircase and replacement windows	Approval	26/09/2019
19/00986/TPO	Works to a tree with a TPO	82 Sancroft Road Derby DE21 7ET	Crown lift to 4m, crown reduction by 3m and crown thin by 30% of Oak Tree. Protected by Tree Preservation Order No. 110	Approval	16/09/2019
19/00990/TPO	Works to a tree with a TPO	Derby High School Hillsway Littleover Derby DE23 3DT	Various works to trees protected by Tree Preservation Order no. 30	Approval	16/09/2019
19/00993/CAT	Works to Trees in a Conservation Area	The Lodge Darley Park Drive	Crown reduction by 1m and cutting back of branches away from the building by 2m of a	Raise No Objection	06/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Derby DE22 1EN	Yew tree and crown reduction to the house side by 1.5m of a Yew tree within the Darley Abbey Conservation Area		
19/00996/CLP	Lawful Development Certificate -Proposed	26 Kershope Drive Derby DE21 2TQ	Single storey rear extension to dwelling house (porch and family room)	Approval	05/09/2019
19/00997/FUL	Full Application	Land At The Front Of 163A Pastures Hill Derby DE23 4AZ	Retention of the erection of a dormer bungalow (Use Class C3) and front boundary wall	Approval	25/09/2019
19/00998/PNRH	Prior Approval - Householder	47 Elvaston Lane Derby DE24 0PW	Single storey rear extension (projecting beyond the rear wall of the original house by 4m, maximum height 3.5m, height to eaves 2.2m) to dwelling house	Prior Approval Not Required	05/09/2019
19/01000/FUL	Full Application	6 Starflower Way Derby DE3 0BS	Single storey rear extension to dwelling house (lounge and enlargement of kitchen)	Approval	03/09/2019
19/01002/FUL	Full Application	81 Birchover Way Derby DE22 2QH	Two storey side and rear and single storey front and rear extensions to dwelling house (garage, w.c., utility, kitchen/family area, three bedrooms, bathroom and enlargement of hall) and installation of render and a new first floor side elevation window	Approval	23/09/2019
19/01003/FUL	Full Application	85 Willowcroft Road Derby DE21 7FL	Single storey side extension to dwelling house (store, utility and dining room)	Approval	04/09/2019
19/01004/FUL	Full Application	75 Stanley Street Derby DE22 3GU	Two storey and single storey rear extensions to dwelling house (bedroom and enlargement of kitchen)	Approval	03/09/2019
19/01007/FUL	Full Application	83 Blagreaves Lane Derby DE23 1FG	Two storey front, side and rear and single storey rear extensions to dwelling house (family area, en-suite, two bedrooms and enlargement of garage, kitchen and bedroom) with rooms in the roof space (bedroom and en-suite), erection of an outbuilding	Approval	04/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			(gymnasium and w.c.), installation of replacement bay windows to the front elevation and enlargement of vehicular access		
19/01008/FUL	Full Application	57 Highfield Lane Derby DE21 6PH	Two storey side and single storey rear extensions to dwelling house (garage, w.c., utility, bedroom and en-suite)	Approval	06/09/2019
19/01010/ADV	Advertisement Consent	Jaguar Land Rover Chequers Road Derby DE21 6EP	Display of various signage	Approval	27/09/2019
19/01011/TPO	Works to a tree with a TPO	Leylands Estate Broadway Derby DE22 1BA	Pollarding of a Hornbeam tree protected by Tree Preservation Order no. 389	Approval	18/09/2019
19/01012/CAT	Works to Trees in a Conservation Area	Mickleover Manor Derby	Cutting back of branches of a Sycamore tree to give 2m clearance of the adjacent garage and house and a Beech tree to give 5m clearance of the road and 2-3m clearance from the amenity land within the Mickleover Conservation Area	Raise No Objection	06/09/2019
19/01014/TPO	Works to a tree with a TPO	Gate Keepers Cottage Mickleover Manor Derby DE3 0SH	Crown reduction to maintain a spread/height of 5m to be carried out when required for a period of 10 years of two Holly trees protected by Tree Preservation Order no. 305	Approval	18/09/2019
19/01015/PNRIA	Prior Approval - Shop / Bank to Resi	59 - 61 Shakespeare Street Derby DE24 9HE	Change of use from retail (Use Class A1) to two flats (Use Class C3) including alterations to the front elevation	Approval	16/09/2019
19/01019/FUL	Full Application	25A Windley Crescent Derby DE22 1BZ	Single storey front extension to dwelling house (porch) and installation of render	Approval	04/09/2019
19/01020/FUL	Full Application	47 Kingsley Road Derby DE22 2JH	Single storey side and rear extensions to dwelling house (bathroom, utility, playroom and enlargement of kitchen/dining area	Approval	04/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01022/FUL	Full Application	21 Rowallan Way Derby DE73 5WX	Single storey rear extension to dwelling house (kitchen/dining area, sitting room and store)	Approval	12/09/2019
19/01023/FUL	Full Application	742 Osmaston Road Derby DE24 8GU	Retention of the erection of an outbuilding (store room and w.c.)	Approval	19/09/2019
19/01025/CLP	Lawful Development Certificate -Proposed	Roscom Ltd Bateman Street Derby DE23 8JQ	Installation of solar panels to roof of industrial premises	Approval	24/09/2019
19/01028/FUL	Full Application	133 High Street Chellaston Derby DE73 6TG	First floor front extension to dwelling house (bedroom, en-suite and bathroom)	Approval	20/09/2019
19/01029/FUL	Full Application	10 Park Farm Centre Park Farm Drive Derby DE22 2QN	Change of use from bookmakers to cafe (Use Class A3) with wine bar (Use Class A4)	Approval	19/09/2019
19/01030/TPO	Works to a tree with a TPO	15 Church Lane Darley Abbey Derby DE22 1EX	Crown lift, crown reduction to give 3m clearance of the building, removal of a branch, crown clean and removal of deadwood of Cedar tree protected by Tree Preservation Order No 504	Approval	18/09/2019
19/01031/FUL	Full Application	17 Eaton Avenue Derby DE22 2FB	Single storey side and rear extensions to dwelling house (dining/family area, utility, w.c. and store room)	Approval	05/09/2019
19/01034/CAT	Works to Trees in a Conservation Area	174 Duffield Road Derby DE22 1BH	Cutting back of branches to give 1-1.5m clearance of the adjacent property of two Lime trees and felling of an Ash tree within the Strutts Park Conservation Area	Approval	16/09/2019
19/01035/TPO	Works to a tree with a TPO	174 Duffield Road Derby DE22 1BH	Crown lift to give 5.2m clearance from ground level to the road side only, crown lift over Laurel for 2m clearance and cutting back of branches growing towards the property by	Approval	24/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			1.5-2m of a Horse Chestnut tree protected by Tree Preservation Order no. 408		
19/01036/VAR	Variation of Condition	Workshop Building At The Rear Of 294 Uttoxeter New Road Derby DE22 3LN (access Off Rowditch Place)	Change of use from workshop (Use Class B1) to flat (Use Class C3) including first floor side extension - variation of conditions 2, 3 and 4 of previously approved application Code No. DER/12/14/01695 to amend the approved plans including changing the internal layout, external appearance and exclude the side extension	Approval	27/09/2019
19/01038/FUL	Full Application	157 Birchover Way Derby DE22 2DB	Single storey rear extension to dwelling house (orangery)	Approval	04/09/2019
19/01039/FUL	Full Application	17 Abbey Hill Road Derby DE22 2PT	Two storey side and single storey rear extensions to dwelling house (kitchen/family room, garage, utility, dining room and bedroom)	Approval	05/09/2019
19/01042/FUL	Full Application	SOS Cash And Carry Stores Road Derby DE21 4BD	Extension to cash and carry unit (loading bay and storage area)	Approval	04/09/2019
19/01043/FUL	Full Application	Production Test Facility Sinfin C Site Rolls Royce PLC Wilmore Road Derby DE24 9BD	Installation of a sprinkler tank, pumphouse, gas governor and gas pipes, and fuel pipe gantry for Test Bed 80	Approval	05/09/2019
19/01049/FUL	Full Application	68 Penrhyn Avenue Derby DE23 6LA	Two storey side and rear and single storey rear extensions to dwelling house (garage, kitchen, lounge, two bedrooms and en-suite)	Approval	19/09/2019
19/01050/FUL	Full Application	1A Harriet Street Derby DE23 8EQ	First floor rear extension to Wellbeing Centre (two classrooms, kitchen and toilet)	Approval	16/09/2019
19/01052/ADV	Advertisement Consent	Unit 1 Kingsway Retail Park	Display of various signage	Approval	05/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Kingsway Derby DE22 3FA			
19/01053/FUL	Full Application	19 Colwyn Avenue Derby DE23 6HH	Single storey side extension to dwelling house (enlargement of wet room)	Approval	19/09/2019
19/01056/LBA	Listed Building Consent - Alterations	26 The Strand Derby DE1 1BE	Alterations to form clinic to include the removal of modern fittings, creation of new partitions and a suspended ceiling	Approval	30/09/2019
19/01057/FUL	Full Application	12 Rydal Close Derby DE22 2SL	Single storey extensions to dwelling (portico, kitchen/living space and enlargement of bedroom) and erection of an outbuilding (garage and garden store)	Approval	05/09/2019
19/01059/FUL	Full Application	195 Crewe Street Derby DE23 8QR	Single storey rear extension to dwelling house (family room and store)	Approval	05/09/2019
19/01060/TPO	Works to a tree with a TPO	6 Glenorchy Court And Land At The Rear Of 19 Kershope Drive Derby DE21 2TU	Cutting back of the lateral spread overhanging 4 Glenorchy Court by 2m of two Oak trees protected by Tree Preservation Order no's. 31 and 368	Approval	18/09/2019
19/01062/CLP	Lawful Development Certificate -Proposed	28 Windley Crescent Derby DE22 1BZ	Single storey side extension to dwelling house (garage)	Refused	24/09/2019
19/01064/FUL	Full Application	143 Lambourn Drive Derby DE22 2US	Single storey front extension to dwelling house (enlargement of lounge)	Approval	19/09/2019
19/01068/FUL	Full Application	2 Waverley Terrace Moore Street Derby DE23 6SQ	Retention of the erection of a rear boundary wall	Approval	20/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01072/FUL	Full Application	7 Thorn Close Derby DE22 2JG	Single storey rear extension to dwelling (sitting room and kitchen) and installation of dormer windows and rooflights to the front and rear elevations to form rooms in the roof space (two bedrooms with en-suites)	Approval	05/09/2019
19/01074/TPO	Works to a tree with a TPO	19 Gisborne Crescent Derby DE22 2FJ	Felling of a Tulip tree protected by Tree Preservation Order no. 541	Approval	19/09/2019
19/01075/FUL	Full Application	133 Osmaston Park Road Derby DE23 8WL	Two storey and single storey rear extensions to dwelling house (kitchen/dining area, sun lounge and bedroom)	Approval	18/09/2019
19/01076/FUL	Full Application	47 Stone Hill Road Derby DE23 6TJ	Raising Of The Roof Height And Two Storey Extensions To Bungalow To Form A Dwelling House	Approval	24/09/2019
19/01077/DISC	Compliance/Discharge of Condition	Site Of Rose And Crown Ph And St Ralph Sherwin Centre Swarkestone Road Derby DE73 5UA	Demolition of existing buildings and structures and erection of (Use Class A1) retail shop, car parking and servicing areas, access and associated works - Discharge of condtion 16 of previously approved permission DER/02/18/00176	Discharge of Conditions Complete	27/09/2019
19/01079/FUL	Local Council Development Reg 4	87 Bethulie Road Derby DE23 8US	Single storey rear extension to dwelling house (wetroom and lobby)	Approval	18/09/2019
19/01080/FUL	Full Application	26 Moulton Avenue Derby DE21 7FW	Single storey front extension to dwelling house (porch and enlargement of lounge)	Approval	18/09/2019
19/01082/FUL	Full Application	12 Dexter Street Derby DE23 8LL	Change of use from three flats (Use Class C3) to a seven bedroom house in multiple occupation (Sui Generis Use)	Approval	24/09/2019
19/01084/FUL	Full Application	21 Tasman Close Derby DE3 9LF	Single storey rear extension to dwelling house (lounge, hall, wetroom and bedroom)	Approval	24/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01086/VAR	Variation of Condition	65 Uttoxeter Road Derby DE3 9GF	Two storey side and two storey and single storey rear extensions to dwelling house (cloaks, W.C., utility, kitchen, two bedrooms and En-Suite) - Variation of condition 2 of previously approved permission 11/17/01533 to allow a render finish.	Approval	20/09/2019
19/01087/FUL	Full Application	4 Pentewan Close Derby DE22 2BL	Two storey side and single storey front and rear extensions to dwelling house (shower room, utility, bedroom and enlargement of hall, kitchen/dining area and bedroom)	Approval	20/09/2019
19/01089/FUL	Full Application	Fomer Webhelp Building Riverside Road Derby DE24 8HY	Erection of a two storey feature entrance with external alterations and alterations to the access road layout	Approval	20/09/2019
19/01091/FUL	Full Application	16 Brick Row Derby DE22 1DQ	Erection of a 1.8m high boundary fence and gate	Approval	23/09/2019
19/01092/LBA	Listed Building Consent - Alterations	16 Brick Row Derby DE22 1DQ	Erection of a 1.8m high boundary fence and gate	Approval	19/09/2019
19/01093/FUL	Full Application	60 Chestnut Avenue Mickleover Derby DE3 9FS	Two storey side extension to dwelling house (kitchen/dining area, bedroom and en-suite) and installation of a canopy to the front elevation	Approval	23/09/2019
19/01103/FUL	Full Application	22 Harewood Road Derby DE22 2JN	Single storey rear extension to dwelling house (dining space and enlargement of kitchen)	Approval	25/09/2019
19/01104/CAT	Works to Trees in a Conservation Area	Derwent Rowing Club North Parade Derby DE1 3AY	Re-pollarding of 12 Limes trees and crown reduction by 5-6m of a Willow Tree within the Strutts Park Conservation Area	Application Withdrawn	17/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01105/TPO	Works to a tree with a TPO	107 Radbourne Street Derby DE22 3BW	Height reduction to level with the adjacent property roof of a Conifer tree and crown lift to 4m and deadwood of a group of Lime trees protected by Tree Preservation Order no. 133	Approval	24/09/2019
19/01106/FUL	Full Application	4 Milton Close Derby DE3 0QN	Single storey front and side extensions to dwelling house (bedroom/study, utility, shower room and enlargement of porch and kitchen/dining area)	Approval	25/09/2019
19/01108/ADV	Advertisement Consent	Land Adjacent To Bateman Court Junction Of London Road/Osborne Street Derby	Display of one internally illuminated digital advertisement hoarding	Approval	06/09/2019
19/01109/FUL	Full Application	102 Pear Tree Crescent Derby DE23 8RQ	Single storey side/rear extension to dwelling (living space, bathroom and utility)	Approval	25/09/2019
19/01117/CAT	Works to Trees in a Conservation Area	Coney Grey South Drive Darley Abbey Derby DE1 3ET	Felling of a Rowan Tree within the Strutts Park Conservation Area	Approval	18/09/2019
19/01118/FUL	Full Application	5 Roseheath Close Derby DE23 1XA	Two storey rear extension to dwelling house (enlargement of kitchen, dining room and two bedrooms) and erection of outbuilding (garage)	Approval	25/09/2019
19/01126/FUL	Full Application	33 Cambridge Street Spondon Derby DE21 7PZ	Single storey rear extension to dwelling house (lobby, bedroom and wetroom) with access ramp	Approval	25/09/2019
19/01130/FUL	Full Application	163 Pastures Hill Derby DE23 4AZ	Two storey and single storey extensions to dwelling house (garage, spice kitchen, garden room, bedroom and enlargement of hall and kitchen)	Approval	27/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01133/CAT	Works to Trees in a Conservation Area	6 Sitwell Street Spondon Derby DE21 7FE	Felling of various trees and height reduction of a Conifer within the Spondon Conservation Area	Approval	18/09/2019
19/01143/ADV	Advertisement Consent	Cardinal Square 10 Nottingham Road Derby DE1 3QT	Display of one internally illuminated rotating post sign	Approval	18/09/2019
19/01149/DISC	Compliance/Discharge of Condition	Land At Junction Of Cathedral Road Willow Row And Walker Lane Derby	Erection Of Student Accommodation (319 Cluster Flats), associated student support and formation of two parking bays and landscaping - Variation of conditions 1, 3 10 and 15 of previously approved application code No. DER/05/18/00770 - Discharge of conditions 14, 19 and 20 of previously approved application No. 19/00356/VAR	Discharge of Conditions Complete	10/09/2019
19/01158/NONM	Non-Material Amendment	8 Stanley Close Derby DE22 1AG	Single storey side extension to dwelling house (enlargement of kitchen), erection of an open porch structure to the front elevation, formation of a raised terrace to the rear elevation and installation of render - non-material amendment to previously approved planning permission 19/00073/FUL to include an additional ground floor side window	Approval	23/09/2019
19/01161/NONM	Non-Material Amendment	Site Of Former Derbyshire Royal Infirmary London Road Derby DE1 2QY	Erection of 796 dwellings comprising 773 dwellings and apartments, conversion of Wilderslowe House into 10 apartments conversion of nos 123-129A Osmaston Road into 12 apartments, alteration and refurbishment of The Lodge together with conversion and extension of the 'Pepper pot' buildings into a cafe, exhibition/meeting space, and gym/fitness facilities. Relocation of the listed Queen Victoria statue, together with formation of vehicular access, public open space, landscaping and associated engineering works - non material amendment to previously approved permission 18/01677	Approval	18/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			to amend open light sizes to all windows in Apartment Blocks A, B and E1-E6.		
19/01174/PNRH	Prior Approval - Householder	7 Calver Close Derby DE21 2BT	Single storey rear extension (projecting beyond the rear wall of the original house by 6m, maximum height 3.9m, height to eaves 2.6m) to dwelling house	Prior Approval Not Required	06/09/2019
19/01183/FUL	Full Application	Mickleturris 9 Uffa Magna Derby DE3 0SN	Single storey rear extension to dwelling house (en-suite & living room) and formation of paved seating area	Approval	19/09/2019
19/01191/DISC	Compliance/Discharge of Condition	Land At Junction Of Cathedral Road Willow Row And Walker Lane Derby DE1 3FQ	Erection Of Student Accommodation (319 Cluster Flats), associated student support and formation of two parking bays and landscaping - Variation of conditions 1, 3 10 and 15 of previously approved application code No. DER/05/18/00770 - Discharge of conditions 10 and 11 of previously approved application No. 19/00356/VAR	Discharge of Conditions Complete	03/09/2019
19/01201/PNRH	Prior Approval - Householder	3 Hollies Road Derby DE22 2HX	Single storey rear extension (projecting beyond the rear wall of the original house by 4.5m, maximum height 3.75m, height to eaves 2.15m) to dwelling house	Prior Approval Not Required	18/09/2019
19/01205/FUL	Full Application	Roscom Ltd Bateman Street Derby DE23 8JQ	Erection of Solar Car Port	Approval	25/09/2019
19/01208/FUL	Full Application	141 Holcombe Street Derby DE23 8JD	Change of use from offices (Use Class B1) to a four bedroom house in multiple occupation (Use Class C4) and one flat (Use Class C3)	Application Withdrawn	18/09/2019
19/01228/PNRH	Prior Approval - Householder	78 Reginald Road South Derby DE21 6NF	Single storey rear extension (projecting beyond the rear wall of the original house by 3.2m, maximum height 3.8m, height to eaves 3m) to dwelling house	Prior Approval Not Required	19/09/2019
19/01325/DISC	Compliance/Discharge of	Land At 13-19 Chatsworth Street	Erection of Dwelling House - Discharge of	Discharge of	16/09/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
	Condition	Derby DE23 6NR	conditions 3 & 4 of previously approved application code No. 08/17/01133	Conditions Complete	



Delegated decisions made between Between 01/10/2019 and 31/10/2019



Application No:	Application Type	Location	Proposal	Decision	Decision Date
02/17/00137	Full Application	Site Of 159 And Land At Rear Of 159 - 169 Baker Street Alvaston Derby DE24 8SE	Demolition Of One Dwelling House (159 Baker Street) And Erection Of Twelve Dwelling Houses (Use Class C3)	Approval subject to Section 106	31/10/2019
02/18/00267	Compliance/Discharge of Condition	65-69 Nottingham Road Derby DE1 3QS	Change Of Use From Offices (Use Class B1) To Eight Apartments (Use Class C3) To Include Two Storey Extensions, Alteration To The Fenestration - Discharge Of Conditions 3,4,6 & 9 Of Previously Approved Permission DER/10/16/01250	Discharge of Conditions Complete	02/10/2019
03/18/00314	Listed Building Consent - Alterations	Middleton House 27 St. Marys Gate Derby	Change Of Use from Offices (Use Class A2) to 52 residential apartments (Use Class C3). Conversion and extensions of caretakers lodge to form 1 dwelling and conversion of the garage block to form cycle and bin storage together with associated car parking and landscaping.	Approval	16/10/2019
03/18/00315	Compliance/Discharge of Condition	20 Leopold Street Derby DE1 2HF	Change Of Use From Retail (Use Class A1) To Hot Food Takeaway (Use Class A5) And Installation Of An Extraction Flue - Discharge Of Condition 3 Of Previously Approved Permission DER/06/17/00843	Discharge of Conditions Complete	02/10/2019
03/18/00407	Full Application	Cattle Market Chequers Road Derby	Realignment Of Existing Unlit Footpath And New Access Road To Serve Redevelopment Of Cattle Market. Closing Off Of Existing Cattle Market Entrance.	Application Withdrawn	22/10/2019
03/18/00443	Compliance/Discharge of Condition	The New Lodge Nursing Home 114 Western Road Mickleover Derby	Single Storey Side Extension To Nursing Home (Four En-Suite Bedrooms) - Discharge Of Condition 4 Of Previously Approved Application Code No. DER/05/17/00705	Discharge of Conditions Complete	02/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE3 5GR			
03/18/00473	Non-Material Amendment	218-220 Siddals Road Derby	Conversion Of Existing Property Into 12 Self Contained Apartments, Erection Of Four Single Bedroom Town Houses And Associated Car Parking - Non-Material Amendment To Previously Approved Planning Permission 02/01/00238 To Amend The Design Of The Town Houses	Finally disposed of	25/10/2019
04/18/00594	Compliance/Discharge of Condition	Disused Land Adjacent 1 - 5 Railway Cottages Sinfin Lane Sinfin Derby	Construction And Operation Of Waste Treatment Facility Comprising Reception And Recycling Hall; Mechanical Biological Treatment (MBT) Facility; Advanced Conversion Technology (Act) Facility; Power Generation And Export Facility; Education And Office Accommodation; Landscaping; And Formation Of Access - Discharge Of Condition 19 Of Previously Approved Application Code No. DER/05/09/00571	Discharge of Conditions Complete	02/10/2019
04/18/00603	Compliance/Discharge of Condition	18 Keats Avenue Littleover Derby	Single Storey Front And Two Storey And Single Storey Side Extensions To Dwelling House (Porch, Snug, Utility Room, W.C., Living Area, Kitchen, Bedroom, Dressing Room And En-Suite) And Erection Of Detached Garage - Discharge Of Condition No 3 Of Previously Approved Permission DER/07/16/00845	Discharge of Conditions Complete	02/10/2019
05/17/00678	Full Application	Site Of Former Northridge House Raynesway Derby DE24 0DW (Junction Of Belmore Way)	Erection of an eight storey block and a three storey block to create 122 apartments (use class C3) with associated parking and ancillary works.	Finally disposed of	04/10/2019
05/18/00651	Full Application	Site Of Former Gas Holders Pride Parkway Pride Park Derby	Erection Of Petrol Filling Station, Drive Through Coffee Shop, Retail Unit /Hot Food Shop And Associated Car Park	Approval subject to Section 106	31/10/2019
05/18/00653	Full Application	Guru Ravi Dass Sahba Temple Duncan Road Derby	Retention Of Single Storey Front Extensions To Temple	Approval	10/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
05/18/00737	Compliance/Discharge of Condition	105 & 105A Duffield Road Derby	Change Of Use From Mixed Use - Offices And Doctors Surgery (Use Classes B1 And D1) To A Day Nursery (Use Class D1) Together With The Erection Of A Single Storey Extension (Entrance Area) To 105 And Alterations To The Elevations Of 105A - Discharge Of Condition 4 Of Previously Approved Planning Permission DER/01/18/00073	Discharge of Conditions Complete	02/10/2019
05/18/00747	Compliance/Discharge of Condition	Site Of The Moorways Sports Centre Moor Lane Allenton Derby	Demolition Of Store. Erection Of A Leisure Centre (Use Class D2) Including A 50M Swimming Pool, Fitness Suite, Studios And Other Complementary Uses With Associated Parking, Access Drainage And Landscaping Provisions - Discharge Of Condition Nos 4, 5, 8, 12, 13 And 24 Of Previously Approved Permission DER/11/17/01481	Application Withdrawn	03/10/2019
06/18/00843	Compliance/Discharge of Condition	11 Mill Street Derby	Two Storey Extension And Change Of Use From Retail And Business (Use Class A1/B1) To Eight Apartments (Use Class C3) Including Alterations To The Elevations - Discharge Of Condition Nos 3, 4, 5, 6, 9 And 10 Of Previously Approved Permission DER/01/17/00002	Discharge of Conditions Complete	14/10/2019
11/17/01537	Full Application	Land Adjacent To 37 Kitchener Avenue Derby	Erection Of Two Dwelling Houses (Use Class C3)	Refused	25/10/2019
18/01707/FUL	Full Application	Brook Medical Centre 183 Kedleston Road Derby DE22 1FT	Re-location of the car parking area and alterations to access	Approval	02/10/2019
19/00071/FUL	Full Application	43 Rykneld Road Derby DE23 4BG	First floor side extension to dwelling house (bedroom and en-suite) and roof alterations to including raising of the roof height to form rooms in the roof space (bedroom, en-suite/sauna and dressing room/bedroom)	Approval	09/10/2019
19/00215/FUL	Full Application	392 Kedleston Road Derby	Two storey side extension to dwelling house and loft conversion including rear dormer	Approval	09/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE22 2TF	extension (garage, utility, two bedroom with en-suites, study and enlargement of kitchen)		
19/00230/FUL	Full Application	4 Gainsborough Close Derby DE21 2HJ	Two storey and first floor side and single storey rear extensions to dwelling house (bedroom, study and enlargement of kitchen/dining area) and installation of a canopy to the front elevation	Approval	09/10/2019
19/00291/FUL	Full Application	23-26 St Marys Gate Derby DE1 3JR	Change of use, extensions and alterations to form 14 residential units and office space	Approval	10/10/2019
19/00380/FUL	Full Application	125 Haven Baulk Lane Derby DE23 4AF	First floor rear and single storey front and rear extensions to dwelling house (porch, bedroom, en-suite and living space) including installation of new first floor side elevation windows	Approval	25/10/2019
19/00498/FUL	Full Application	Land At The Rear Of Fermyn Wood Kings Croft Derby DE22 2FP	Substitution of house types to all plots	Approval	17/10/2019
19/00546/VAR	Variation of Condition	River Derwent Corridor Including Sites From Darley Abbey, Little Chester, Chester Green, North Riverside, Bass Rec' Pride Park To Alvaston Park Derby	Outline application with full details of 'Package 1' for flood defence works along the river corridor involving; demolition of existing buildings, boundary treatments and flood defence walls, removal of existing flood embankments, vegetation and trees, the raising, strengthening, realigning and construction of new flood defence walls, embankments, access ramps and steps, demountable flood defences and flood gates, the construction of replacement buildings, structures and community facilities, alterations to road, footpath and cycleway layouts along with associated and ancillary operational development in the form of ground works, archaeological investigation works and landscaping works to reinstate sites with environmental enhancements included - Variation of condition 4 of previously approved	Approval	16/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			planning permission 02/15/00210 to change the approved height of flood gate, the design of the flood gate piers and road re-profiling at Exeter Bridge		
19/00547/NONM	Non-Material Amendment	366 Duffield Road Derby DE22 1ER	Single storey rear and side extensions to dwelling house (kitchen/dining room, garage and utility room) and formation of raised patio area - non-material amendment to previously approved planning permission 08/17/01073 to change the internal layout, include a new window, installation of an additional roof light and materials changed to render and tiles	Approval	24/10/2019
19/00599/FUL	Full Application	5 South Avenue Littleover Derby DE23 6BA	Two storey side extension to dwelling house (living/dining area, garage, w.c., two bedrooms, three en-suites and enlargement of entrance hall), raising of the roof height to form rooms in the roof space (two bedrooms with en-suites), installation of a canopy to the front elevation and erection of front boundary walls and gates	Approval	02/10/2019
19/00611/LBA	Listed Building Consent - Alterations	43 Iron Gate Derby DE1 3FT	Roof repairs including repair and reinstatement of lead flashing, re-bedding of mortar joints, application of a roof coating and replacement of uPVC window at rear with timber window.	Approval	23/10/2019
19/00621/FUL	Full Application	31 Wordsworth Avenue Derby DE24 9HQ	Two storey side and single storey rear extensions to dwelling house (garage, w.c., utility, bedroom, shower room and enlargement of kitchen/dining room) and installation of a dormer to the rear elevation to form a room in the roof space (bedroom)	Approval	23/10/2019
19/00651/FUL	Full Application	3 Charnwood Street Derby DE1 2GT	Erection of 1.7 metre high fence and gates and siting of a cafeteria building	Approval	08/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/00669/FUL	Full Application	Land Adjacent To 3 Church Walk Derby	Change of use of vacant land to car parking area and formation of hard standing	Approval	31/10/2019
19/00677/VAR	Variation of Condition	Site Of And Land At Kingsway Hospital Kingsway Derby	Residential Development (580 Dwellings), erection of offices (Use Class B1), retail units (Use Classes A1, A2 And A3), business units and associated infrastructure (roads, footpaths, open space and allotments) - Variation of condition 12 of previously approved permission Code No. DER/11/17/01469 to allow the occupation of 307 units	Approval	11/10/2019
19/00682/FUL	Full Application	Land At 398 Duffield Road Derby DE22 1ES	Demolition of outbuildings. Erection of four dwelling houses (Use Class C3)	Approval	25/10/2019
19/00689/FUL	Full Application	Land Adjacent To 2 Uplands Gardens Derby DE23 6AS	Erection of a dwelling house (Use Class C3)	Refused	25/10/2019
19/00722/FUL	Full Application	74 Stenson Road Derby DE23 1JE	Retention of an outbuilding (garden room) and extension to vehicular access	Approval	31/10/2019
19/00734/RES	Reserved Matters	Site Of California Works Parliament Street Derby DE22 3RP	Residential development (8 dwelling houses, 6 apartments and formation of car park) - (variation of condition 2 of previously approved planning permissions Code No. DER/05/11/00515 and Code No. DER/10/15/01283 to amend the approved plans) - approval of reserved matter of landscaping pursuant to previously approved planning permission Code No. 01/18/00125	Approval	03/10/2019
19/00779/FUL	Full Application	139 Blenheim Drive Derby DE22 2LH	Two storey side and single storey rear extensions to dwelling house (store, w.c., utility, bedroom, wetroom and snug/dining area)	Refused	03/10/2019
19/00785/FUL	Full Application	Derby Grammar School Rykneld Road Derby	Demolition of classroom building. Erection of a new classroom building and felling of four trees protected by Tree Preservation Order no.	Approval	14/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE23 4BX	78		
19/00806/FUL	Full Application	11 Serina Avenue Derby DE23 6JT	Two storey side and single storey rear extensions to dwelling house (alleyway, prayer room, w.c., lounge/dining area, kitchen, bathroom and bedroom) with rooms in the roof space (bedroom and en-suite)	Approval	14/10/2019
19/00829/ADV	Advertisement Consent	Chellaston Methodist Church High Street Chellaston Derby DE73 6TB	Display of internally illuminated cross	Approval	09/10/2019
19/00883/FUL	Full Application	104 Swarkestone Road Derby DE73 5UD	Two storey and single storey side extension to dwelling house (study/office, shower room, utility and bedroom) and erection of an outbuilding (garage)	Approval	10/10/2019
19/00884/FUL	Full Application	14 School Lane Derby DE73 6TF	Installation of render and cedar cladding to the front and side elevations	Approval	08/10/2019
19/00886/FUL	Full Application	366 Duffield Road Derby DE22 1ER	Single storey rear and side extensions to dwelling house (kitchen/dining room, garage and utility room) and formation of raised patio area - amendments to previously approved planning permission Code No. 08/17/01073 to enlarge the patio and install screening, increase the height of the pitched roof to the side of the property, change the roof light positions to the flat roof extension and erection of an outbuilding (garage)	Approval	22/10/2019
19/00915/FUL	Full Application	1 Albany Road Derby DE22 3LW	First floor side and single storey rear extensions to dwelling house (kitchen/dining area, bedroom, en-suite and enlargement of bedroom)	Approval	09/10/2019
19/00917/FUL	Full Application	8 Loxley Close Derby DE21 2PU	First floor and single storey extensions to dwelling house (entrance hall and bedroom)	Approval	01/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/00918/FUL	Full Application	36 Whinbush Avenue Derby DE24 9DP	Single storey front, side and rear extensions to dwelling house (porch, lounge and kitchen/dining area)	Approval	10/10/2019
19/00938/FUL	Full Application	Unit 1 And Land At The Rear Of 6 Arthur Street Derby DE1 3EF	Demolition of 14 garage units. Erection of four dwelling houses (Use Class C3) and alterations and change of use of an existing two storey outbuilding to form a dwelling house (Use Class C3)	Approval	30/10/2019
19/00949/FUL	Full Application	18 Evans Avenue Derby DE22 2EJ	Single storey rear extension to dwelling house (dining/living area) with a balcony	Approval	03/10/2019
19/00960/TPO	Works to a tree with a TPO	67 Smalley Drive Derby DE21 2SF	Crown Reduction of lateral branches to the house side by 1m, reduction of one branch to the south side by 1.5m, removal of deadwood and epicormic growth (to include epicormic growth to be removed as and when required up to a height 2.5m above ground level) of an Oak tree protected by Tree Preservation Order no. 31	Approval	07/10/2019
19/00965/FUL	Full Application	The Grove 2A Lyndhurst Grove Derby DE21 6RX	Change of use from residential (Use Class C3) to mixed use - chiropractic health clinic (Use Class D1) at ground floor level and residential (Use Class C3) at first floor level	Approval	04/10/2019
19/00969/FUL	Full Application	Land At The Side Of The Willows Old Hall Avenue Littleover Derby DE23 6EN	Erection of two dwelling houses with garages (Use Class C3)	Approval	31/10/2019
19/00987/FUL	Full Application	12 Hill Square Derby DE22 1DW	Installation of replacement windows and door to the front elevation	Approval	11/10/2019
19/00988/FUL	Full Application	Woodbine Lodge Sinfin Lane Derby DE24 9HW	Two storey and first floor side and rear extensions to dwelling house (workshop/studio, three bedrooms, en-suite and two balconies)	Approval	18/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/00994/FUL	Full Application	10 Epping Close Derby DE22 4HR	Two storey side extension to dwelling house (entrance hall, shower room, utility, two bedrooms and first floor terrace) including installation of cedar cladding	Approval	23/10/2019
19/01005/FUL	Full Application	41 Bridgeside Way Derby DE21 7SH	Single storey rear extension to dwelling house (conservatory)	Approval	04/10/2019
19/01006/FUL	Full Application	Flats 1 - 18, 33 - 38 And 47- 52 (consecutive) Etruria Gardens Derby DE1 3RL	Installation of replacement windows	Approval	08/10/2019
19/01009/FUL	Full Application	197 Station Road Mickleover Derby DE3 9FG	Change of use of part of the building from residential (Use Class C3) to veterinary (Use Class D1) including formation of a car park and vehicular access	Approval	02/10/2019
19/01013/FUL	Full Application	42 Silverburn Drive Derby DE21 2JJ	First floor, two storey and single storey side extensions to dwelling house (garage, dining/family space, bedroom, dressing room and en-suite)	Approval	25/10/2019
19/01017/FUL	Full Application	282 Osmaston Park Road Derby DE24 8EZ	Formation of vehicular access	Approval	04/10/2019
19/01021/FUL	Full Application	405 Uttoxeter New Road Derby DE22 3HY	Formation of a vehicular access	Approval	08/10/2019
19/01027/FUL	Full Application	Spring Cottage 129B Manor Road Littleover Derby DE23 6BU	Single storey front extension to dwelling house (enlargement of hallway) and raising of the roof height and installation of dormers to the front, side and rear elevations to form rooms in the roof space (four bedrooms, bathroom and en-suite)	Approval	10/10/2019
19/01033/VAR	Variation of Condition	Mackworth Dental Practice 35 Humbleton Drive	Change of use from residential (Use Class C3) to dental practice (Use Class D1) - variation of	Refused	10/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Derby DE22 4AU	condition 3 of previously approved planning permission Code No. 10/08/01479 to amend the approved opening hours to allow Saturday opening between 8.30am and 5pm		
19/01037/FUL	Full Application	203 Derby Road Chellaston Derby DE73 5SE	Two storey side/rear extension to dwelling house (study and en-suite)	Approval	25/10/2019
19/01051/LBA	Listed Building Consent - Alterations	17 Mile Ash Lane Derby DE22 1DD	Installation of two replacement windows to the rear elevation including alterations to the ground floor aperture and installation of a sill	Approval	02/10/2019
19/01061/FUL	Full Application	439 Kedleston Road Derby DE22 2TG	Two storey and single storey rear extensions to dwelling house (dining room, sitting area, utility, bedroom and enlargement of kitchen) including installation of a new first floor side elevation window and erection of an outbuilding (double garage)	Approval	23/10/2019
19/01063/FUL	Full Application	16 Jedburgh Close Derby DE24 3DU	Two storey side extension to dwelling house (shower room, and enlargement of kitchen, bathroom and bedroom)	Approval	03/10/2019
19/01067/CLP	Lawful Development Certificate -Proposed	17 Hare Edge Drive Derby DE21 2AF	Single storey rear extension to dwelling house	Approval	03/10/2019
19/01071/FUL	Full Application	Woodbine Cottage Sinfin Lane Derby DE24 9HW	Erection of an outbuilding (double garage and carriage house/workshop/office)	Approval	18/10/2019
19/01083/FUL	Full Application	9 Porthcawl Place Derby DE21 2RU	Two storey side and single storey rear extensions to dwelling house (garage, w.c., utility, covered area, bedroom, bathroom and enlargement of kitchen)	Approval	02/10/2019
19/01090/TPO	Works to a tree with a TPO	12 Park Wood Close Derby	Felling of a Whitebeam tree and a Birch Tree protected by Tree Preservation Order no. 471	Approval	03/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE22 2AX			
19/01094/VAR	Variation of Condition	511 Burton Road Derby DE23 6FQ	Change of use of the first floor to a flat (use class C3) including formation of a separate ground floor access and external alterations - variation of condition 2 of previously approved planning permission 18/01709/FUL to raise the height of the existing single storey roof, include additional windows, amend the internal layout and increase the size of the flat	Approval	16/10/2019
19/01095/FUL	Full Application	238 Burton Road Derby DE23 6AA	Single storey extension to restaurant (takeaway and delivery pickup area, preparation and storage areas and w.c.)	Approval	09/10/2019
19/01101/FUL	Full Application	Woodbine Lodge Sinfin Lane Derby DE24 9HW	Erection of an outbuilding (garage and office) with an external staircase	Approval	21/10/2019
19/01102/FUL	Full Application	Land Rear Of 17 And 19 Derby Road Chellaston Derby (Access Between 19 And 21)	Erection of a dwelling house (Use Class C3)	Approval	08/10/2019
19/01107/FUL	Full Application	30 Ordish Avenue Derby DE21 6QF	Two storey side extension to dwelling house (garage and two bedrooms with en-suites)	Approval	15/10/2019
19/01113/FUL	Full Application	91 Marylebone Crescent Derby DE22 4JW	Single storey rear extension to dwelling house (conservatory)	Approval	02/10/2019
19/01114/ADV	Advertisement Consent	The Friary 104 Friar Gate Derby DE1 1FG	Retention of the display of one non-illuminated fascia sign, one externally illuminated projecting sign and one internally illuminated freestanding sign	Approval	03/10/2019
19/01115/LBA	Listed Building Consent - Alterations	The Friary 104 Friar Gate Derby DE1 1FG	Retention of the installation of one fascia sign	Approval	03/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01116/TPO	Works to a tree with a TPO	4 Viola Close Derby DE21 2XG	Crown reduction by 1m of an Oak tree protected by Tree Preservation Order no. 247	Approval	07/10/2019
19/01120/FUL	Full Application	23 - 25 Park Farm Centre Park Farm Drive Derby DE22 2QQ	Change of use of first floor from office (Use Class B1a) to two residential units (Use Class C3) with associated external alterations	Approval	10/10/2019
19/01121/FUL	Full Application	8 Pulborough Gardens Derby DE23 3UE	Two storey rear extension to dwelling house (day room, play room and bedrooms)	Refused	17/10/2019
19/01122/CLP	Lawful Development Certificate -Proposed	60 Mortimer Street Derby DE24 8FX	Change of use of a domestic outbuilding to a dog grooming salon (Sui Generis Use)	Refused	14/10/2019
19/01123/FUL	Full Application	156 Brighton Road Derby DE24 8TA	Conversion of existing double garage to create a self-contained residential unit with external alterations to doors and windows	Approval	03/10/2019
19/01125/FUL	Full Application	260 Derby Road Chaddesden Derby DE21 6RW	Two storey side and rear and single storey front and rear extensions to dwelling house (porch, living room, shower room, study, kitchen/dining area, two bedrooms, bathroom, three en-suites and enlargement of bedroom)	Approval	23/10/2019
19/01127/FUL	Full Application	2 Chatsworth Street Derby DE23 6NR	Two storey and single storey side extensions to dwelling house (enlargement of kitchen, dining room and two bedrooms)	Refused	22/10/2019
19/01129/FUL	Full Application	Copley Dene 5 Parkfields Drive Derby DE22 1HH	Two storey side and first floor rear extensions to dwelling house (kitchen/diner, bedroom and enlargement of bathroom)	Refused	08/10/2019
19/01131/FUL	Full Application	51 Laburnum Crescent Derby DE22 2GS	Single storey side and rear extensions to dwelling (hall, shower room, dining area and lounge)	Approval	02/10/2019
19/01132/FUL	Full Application	65 Otter Street Derby	Installation of a replacement ground floor bay window to the front elevation and erection of	Approval	14/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE1 3FD	a replacement boundary wall		
19/01134/FUL	Full Application	47 Badgerdale Way Derby DE23 3ZA	Change of use from a dwelling house to two flats (Use Class C3)	Approval	03/10/2019
19/01135/FUL	Full Application	38 Blagreaves Lane Derby DE23 1FL	Erection of front boundary gates and pillars	Approval	02/10/2019
19/01136/FUL	Full Application	10 Chester Green Road Derby DE1 3SF	Installation of replacement windows and door to the front elevation	Approval	02/10/2019
19/01137/FUL	Full Application	233 Porter Road Derby DE23 6RG	First floor rear extension to dwelling house (study) and installation of a dormer to the rear elevation	Approval	02/10/2019
19/01138/TPO	Works to a tree with a TPO	Convent Of The Holy Name Morley Road Derby DE21 4TB	Felling of Hawthorn and Blackhorn trees protected by Tree Preservation Order No. 225	Approval	10/10/2019
19/01140/FUL	Full Application	Chesapeake Community Centre Chesapeake Road Derby DE21 6RD	Demolition of community centre. Erection of 8 dwelling houses and associated landscaping and ground works.	Approval	24/10/2019
19/01142/ADV	Advertisement Consent	Northcliffe House Meadow Road Derby DE1 2BH	Display of 2 externally illuminated fascia signs	Approval	03/10/2019
19/01144/FUL	Full Application	Unit 1 Stoney Cross Industrial Estate Stoney Gate Road Derby DE21 7RX	Change of use from martial arts academy (Use Class D2) back to workshop/offices (Use Classes B8 and B1)	Approval	09/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01146/VAR	Variation of Condition	Spondon Conservative Club Chapel Street Spondon Derby DE21 7JP	First floor extension to club (function room) - variation of condition 2 of previously approved planning permission Code no. 03/17/00369 to include glazed doors and juliet balconies to the front elevation	Approval	02/10/2019
19/01147/VAR	Variation of Condition	Site Of 166 Normanton Road Derby DE23 6UX	Demolition of petrol station. Erection of two retail units (Use Class A1) - Variation of condition 3 of previously approved planning permission Code No. 19/00521/VAR to amend the internal layout and external appearance, to create a single retail unit	Approval	02/10/2019
19/01150/CAT	Works to Trees in a Conservation Area	4A Siddals Lane Derby DE22 2DY	Felling of a Damson tree within the Allestree Conservation Area	Approval	03/10/2019
19/01151/FUL	Full Application	4 - 6 Browning Circle Browning Street Derby DE23 8AR	Retention of the installation of an ATM	Approval	02/10/2019
19/01152/ADV	Advertisement Consent	4 - 6 Browning Circle Browning Street Derby DE23 8AR	Retention of the installation of an internally illuminated ATM sign	Approval	03/10/2019
19/01159/FUL	Full Application	1 Friary Street Derby DE1 1JF	Retention of change of use from four flats (Use Class C3) to a house in multiple occupation (Use Class C4) and two self-contained bedsits (Use Class C3) with a rear single storey extension without compliance with condition 4 of previously approved permission Code No. DER/12/17/01585 (cycle parking)	Approval	03/10/2019
19/01162/CLP	Lawful Development Certificate -Proposed	7 Birchway Grove Derby DE23 3UR	Single storey rear extension to dwelling house (enlargement of kitchen/dining area), a hip to gable roof alteration and installation of two dormer windows to the rear elevation	Approval	03/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01163/FUL	Full Application	Production Test Facility Rolls Royce PLC Wilmore Road Derby DE24 9BD	Installation of a temporary storage tent and portable office for a three year period	Approval	01/10/2019
19/01167/TPO	Works to a tree with a TPO	Trees In Front Of 1-9 Darley Park Drive And At The Side Of 254 Duffield Road Derby	Removal of epicormics to give 2.5m clearance of 8 Tilia trees protected by Tree Preservation Order no. 465 to be carried out once per annum for a period of ten years	Approval	15/10/2019
19/01168/FUL	Full Application	9 Chesterton Road Derby DE21 7EN	Two storey side and single/two storey rear extensions to dwelling house (covered way, lobby, dining area, two bedrooms and ensuite)	Approval	03/10/2019
19/01169/TPO	Works to a tree with a TPO	Trees On Public Open Space Behind 14 Amesbury Lane Derby	Crown clean and crown lift to 3-4m and crown clean, crown reduction and cutting back of overhanging branches by 3-4m of two Elm trees protected by Tree Preservation Order no. 149	Approval	15/10/2019
19/01170/FUL	Full Application	45 Foremark Avenue Derby DE23 6JQ	Two storey side and two storey and single storey rear extensions to dwelling house (store, two bedrooms, w.c. dining room, kitchen and family room) and erection of an outbuilding (childrens play house)- amendment to previously approved permission Code No. DER/09/18/01340	Approval	03/10/2019
19/01171/CLP	Lawful Development Certificate -Proposed	41 Friar Gate Derby DE1 1DA	Replacement of internal fire doors	Approval	07/10/2019
19/01172/TPO	Works to a tree with a TPO	St Werburghs Church Friar Gate	Crown lift Lime tree to 4-5m and remove epicormics to give 2.5m clearance protected	Approval	15/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		Derby DE1 1BU	by Tree Preservation Order no. 43 to be carried out annually for a period of 10 years		
19/01173/TPO	Works to a tree with a TPO	Land Between 10 And 12 Oakside Way Derby	Crown clean and crown lift to 3-4m of an Oak tree protected by Tree Preservation Order no's 31 and 220	Approval	21/10/2019
19/01175/FUL	Full Application	41 St Marys Gate Derby DE1 3JX	Conversion and refurbishment of existing building (change of use) from offices to residential.	Approval	29/10/2019
19/01176/LBA	Listed Building Consent - Alterations	41 St Marys Gate Derby DE1 3JX	Conversion and refurbishment of existing building (change of use) from offices to residential.	Approval	29/10/2019
19/01178/TPO	Works to a tree with a TPO	Land At The Junction Of Church Walk And Siddals Lane Derby DE22 2DY	Crown lift to 2-3 metres including removal of deadwood and cutting back of braches of Yew Tree. Protected by Tree Preservation Order No. 390	Approval	21/10/2019
19/01180/FUL	Full Application	Thorn Lodge 76 Pastures Hill Derby DE23 4BB	Installation of two dormers (bathroom and enalrgement of bedroom) and additional windows	Approval	08/10/2019
19/01181/FUL	Local Council Development Reg 4	102 Moorside Crescent Derby DE24 9PT	Single storey rear extension to dwelling house (lobby and wetroom)	Approval	03/10/2019
19/01182/FUL	Full Application	42 - 44 Harrington Street Normanton Derby DE23 8PG	Change of use from residential dwelling (Use Class C3) to 9 bedroom House in Multiple Occupation (Sui Generis Use)	Approval	23/10/2019
19/01184/FUL	Local Council Own Development Reg 3	44 Merchant Avenue Derby DE21 7NA	Single storey side/rear extension to dwelling house (bedroom and lobby)	Approval	04/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01187/TPO	Works to a tree with a TPO	Land To Rear Of 11 Cherrybrook Drive Oakwood Derby DE21 2SH	Crown reduction by 0.5-1 metre and removal of epicormic growth of Oak Tree protected by Tree Preservation Order No. 31	Approval	21/10/2019
19/01189/FUL	Local Council Own Development Reg 3	5 Lynwood Road Derby DE24 9PA	Single storey extension to dwelling house (wetroom)	Approval	04/10/2019
19/01190/LBA	Listed Building Consent - Alterations	Cemetery Lodge Nottingham Road Cemetery Nottingham Road Derby DE21 6FN	Extension of existing wired fire alarm and emergency lighting from the bereavement office into the new mess rooms, in the former residential house	Approval	17/10/2019
19/01192/CLP	Lawful Development Certificate -Proposed	46 Melbourne Close Mickleover Derby DE3 9LG	Single storey rear extension to dwelling house (enlargement of kitchen)	Approval	09/10/2019
19/01193/FUL	Full Application	4 Birkdale Close Derby DE3 9YG	Single and two storey rear and first floor front extensions to dwelling house (enlargement of lounge, kitchen/dining room and 3 bedrooms)	Approval	04/10/2019
19/01194/FUL	Full Application	Stuart House 13 - 25 Green Lane Derby DE1 1RS	Partial change of use from office (Use Class B1) to mixed use (Use Class B1) and church (Use Class D1) and installation of new doors and windows at ground level	Approval	11/10/2019
19/01198/FUL	Full Application	12 Belper Road Derby DE1 3EN	Replacement of windows on front elevation	Approval	04/10/2019
19/01200/FUL	Full Application	352 Ladybank Road Derby DE3 0TN	Formation of vehicular access	Approval	11/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01209/FUL	Full Application	11 Swanmore Road Derby DE23 3SD	Two storey and single storey side extensions to dwelling house (hall, bedroom, sitting room, bedroom, en-suite, dressing room and enlargement of dining room)	Approval	16/10/2019
19/01210/FUL	Full Application	59 Overdale Road Derby DE23 6AU	First floor side and rear extensions to dwelling house (bathroom, bedroom and enlargement of bedroom)	Approval	23/10/2019
19/01211/FUL	Full Application	14 Liversage Street Derby DE1 2LH	Change of use to a Tattoo Studio (Sui Generis Use)	Approval	11/10/2019
19/01214/FUL	Full Application	347 Uttoxeter Road Derby DE3 9AH	Two storey side and single storey front and rear extensions to dwelling house (bathroom, utility, kitchen, bedroom and enlargement of hall and living space)	Approval	08/10/2019
19/01215/CLP	Lawful Development Certificate -Proposed	Rykneld House 5 Rykneld Way Littleover Derby DE23 4AT	Change of use from residential development (Use Class C3a) to residential with care (Use Class C3b)	Approval	15/10/2019
19/01216/FUL	Full Application	6 St Johns Close Derby DE22 2PN	Erection of an outbuilding (garage and shed)	Approval	07/10/2019
19/01219/FUL	Full Application	2 Sidmouth Close Derby DE24 0QY	Single storey extension to dwelling (lobby and enlargement of kitchen)	Approval	15/10/2019
19/01220/FUL	Full Application	30 St Peters Street Derby DE1 1SH	Change of use from retail (Use Class A1) to beauty salon (Sui Generis use)	Approval	11/10/2019
19/01221/FUL	Full Application	609 Burton Road Derby DE23 6EJ	Rear extensions to first floor and roof of dwelling house (enlargement of two bedrooms)	Approval	11/10/2019
19/01222/FUL	Full Application	363 Borrowash Road Derby DE21 7PH	Two storey side extension to dwelling house (car port, two bedrooms and store)	Approval	24/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01224/FUL	Full Application	12 Lombard Street Derby DE22 4JD	Two storey side and single storey front and rear extensions to dwelling house (sitting room, wet room, utility, two bedrooms, sun lounge and enlargement of hall and lounge)	Approval	23/10/2019
19/01225/FUL	Full Application	85 Richmond Road Peartree Derby DE23 8PY	Single storey rear extension to dwelling house (kitchen)	Approval	22/10/2019
19/01229/FUL	Full Application	131 Westbourne Park Derby DE22 4HA	Single-storey rear extension to dwelling house (kitchen/living area)	Approval	17/10/2019
19/01230/FUL	Full Application	Kentucky Fried Chicken Foresters Park Centre Sinfin Lane Derby DE23 8AG	Installation of two electric vehicle charging stations and associated equipment	Approval	07/10/2019
19/01231/LBA	Listed Building Consent - Alterations	Annies Burger Shack Friary Street Derby DE1 1JF	Retention of brick slips applied to existing internal wall finishes	Approval	07/10/2019
19/01237/TPO	Works to a tree with a TPO	Coney Grey South Drive Darley Abbey Derby DE1 3ET	Removal of lower branch of a Beech tree protected by Tree Preservation Order no. 506	Approval	23/10/2019
19/01238/CAT	Works to Trees in a Conservation Area	Coney Grey South Drive Darley Abbey Derby DE1 3ET	Cutting back of branches overhanging the driveway to leave a spread of one metre of six Lime trees within the Strutts Park Conservation Area	Approval	23/10/2019
19/01241/CAT	Works to Trees in a	8 Alfreton Road	Felling of a Sycamore tree within the Little	Raise No Objection	15/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
	Conservation Area	Derby DE21 4AA	Chester Conservation Area		
19/01242/FUL	Full Application	46 Burnside Drive Derby DE21 7QQ	Erection of outbuilding (garage)	Approval	23/10/2019
19/01243/FUL	Full Application	35 Slater Avenue Derby DE1 1GT	First floor rear extension to dwelling house (enlargement of bedroom)	Approval	25/10/2019
19/01244/PNRH	Prior Approval - Householder	134 Abingdon Street Derby DE24 8GB	Single storey rear extension (projecting beyond the rear wall of the original house by 5.7m, maximum height 3.5m, height to eaves 2.1m) to dwelling house	Prior Approval Not Required	07/10/2019
19/01246/FUL	Local Council Own Development Reg 3	60 Taddington Road Derby DE21 4JW	Formation of a disabled step lift and ancillary works	Approval	31/10/2019
19/01247/FUL	Full Application	1 Thurstone Furlong Derby DE73 5PZ	Two storey side and rear extensions to dwelling house (kitchen/diner, lounge, two bedrooms, en-suite, bay window and enlargement of lounge) and installation of a canopy to the front elevation and render	Refused	23/10/2019
19/01249/FUL	Full Application	6 Sydney Close Derby DE3 9LY	Single storey front extension to dwelling house (enlargement of lounge)	Refused	04/10/2019
19/01250/FUL	Full Application	Centre Management Suite Level 3 West Mall Intu Centre Traffic Street Derby DE1 2PP	Extension and change of use of roof space/ external seating area (Sui Generis Use) to Office (Use Class B1) together with ancillary space for enlarged staff room and external decked seating area	Approval	16/10/2019
19/01251/CLP	Lawful Development Certificate -Proposed	47 West Avenue South Derby DE73 5SH	Erection of an outbuilding (workshop)	Approval	16/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01252/FUL	Full Application	64 Cordelia Way Derby DE73 5AR	Installation of a dormer window to the first floor side elevation	Approval	11/10/2019
19/01254/FUL	Full Application	Land Between 50 And 58 Belgrave Street Derby	Erection of five flats (Use Class C3)	Approval	11/10/2019
19/01256/FUL	Full Application	9 Lancaster Walk Derby DE21 7LS	First/two storey side extension and single storey rear extension to dwelling house (enlargement of kitchen, dining room, dressing room and bathroom)	Approval	25/10/2019
19/01257/CAT	Works to Trees in a Conservation Area	2 The Green Mickleover Derby DE3 0DE	Felling of a Holly Tree within the Mickleover Conservation Area	Approval	24/10/2019
19/01258/FUL	Full Application	10 Edale Close Derby DE22 2RL	Single storey rear and side extension to dwelling (porch and enlargement of kitchen/diner)	Approval	11/10/2019
19/01259/TPO	Works to a tree with a TPO	327 Burton Road Derby DE23 6AH	Crown reduction by 6 metres of a Weeping Willow Tree protected by Tree Preservation Order No. 278	Approval	23/10/2019
19/01260/FUL	Full Application	42 Stewart Close Derby DE21 7EG	Installation of a dormer to the front elevation	Approval	22/10/2019
19/01261/CAT	Works to Trees in a Conservation Area	35 Park Road Spondon Derby DE21 7LN	Felling of a Cherry tree within the Spondon Conservation Area	Approval	21/10/2019
19/01264/FUL	Full Application	51 Ponsonby Terrace Derby	Single storey side/rear extension to dwelling house (living room)	Approval	22/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
		DE1 1DT			
19/01266/FUL	Full Application	2 Bankfield Drive Derby DE21 7QZ	Erection of boundary fence up to 2.4m in height	Approval	23/10/2019
19/01270/FUL	Full Application	35 Mayfield Road Derby DE21 6FX	Single storey side and rear extensions to dwelling (porch and enlargement of lounge and kitchen) - amendment to previously approved permission Code No. 19/00654/FUL	Approval	23/10/2019
19/01271/FUL	Full Application	39 Whittlebury Drive Derby DE23 3BF	Two storey front and rear extensions to dwelling house (gym, four bedrooms, en-suite and enlargement of lounge/dining/kitchen area and hall) and installation of a new window to the first floor side elevation - amendment to previously approved permission Code No. DER/09/18/01463 to include the erection of a dormer and installation of velux roof windows.	Approval	25/10/2019
19/01272/FUL	Full Application	Mickleover Golf Club Uttoxeter Road Derby DE3 5AD	Single storey extension (enlargement of lounge) and alterations to windows	Approval	11/10/2019
19/01273/FUL	Full Application	30 Reginald Road South Derby DE21 6ND	Two storey rear extension to dwelling house (lounge, bedroom and en-suite)	Approval	23/10/2019
19/01275/FUL	Full Application	4 Dalkeith Avenue Derby DE24 0BG	Single storey side extension to dwelling house (utility room and w.c.)	Approval	23/10/2019
19/01276/DISC	Compliance/Discharge of Condition	15 South Street Derby DE1 1DS	Erection Of A Gazebo - Discharge of conditions 2, 3 & 4 of previously approved application No. DER/09/17/01186	Discharge of Conditions Complete	11/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01277/FUL	Full Application	5 Lime Walk Derby DE23 6BD	Two storey side extensions to dwelling house (kitchen, dining/sitting area, two bedrooms and shower room) -amendment to previously approved permission Code No. 19/00365	Approval	14/10/2019
19/01278/FUL	Full Application	6 Lows Court Derby DE73 6NJ	Single storey side extension to dwelling house (garage)	Approval	11/10/2019
19/01280/FUL	Full Application	47 Park Farm Centre Park Farm Drive Derby DE22 2QQ	Change of use of retail unit (Use Class A1) to Financial and Professional Services (Use Class A2) and associated external alterations	Approval	23/10/2019
19/01281/FUL	Full Application	3 Brindle Way Derby DE23 3ZB	Single storey rear extension to dwelling house (enlargement of kitchen)	Approval	11/10/2019
19/01283/FUL	Full Application	100 Cambridge Street Normanton Derby DE23 8HH	Single storey rear extension to dwelling house (kitchen and bathroom)	Approval	23/10/2019
19/01284/CAT	Works to Trees in a Conservation Area	93 Belper Road Derby DE1 3ER	Crown reduction by 2m using reduction via thinning techniques and crown lift to 2.5m of a Cedar tree within the Stutts Park Conservation Area	Approval	23/10/2019
19/01285/FUL	Full Application	15 Wembley Gardens Derby DE22 4GR	Two storey and single storey rear extensions to dwelling house (kitchen, bedroom and en-suite)	Approval	24/10/2019
19/01291/FUL	Full Application	14 Midland Road Derby DE1 2SN	Retention of the installation of an ATM	Approval	22/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01292/ADV	Advertisement Consent	14 Midland Road Derby DE1 2SN	Retention of the installation of internally illuminated ATM surround	Approval	22/10/2019
19/01294/PNRH	Prior Approval - Householder	21 Warwick Avenue Derby DE23 8DA	Single storey rear extension (projecting beyond the rear wall of the original house by 4m, maximum height 2.85m, height to eaves 2.85m) to dwelling house	Prior Approval Not Required	07/10/2019
19/01305/CAT	Works to Trees in a Conservation Area	2A Sitwell Street Spondon Derby DE21 7FE	Felling of Oak and Leylandii trees within the Spondon Conservation Area	Approval	23/10/2019
19/01312/FUL	Full Application	135 Sancroft Road Derby DE21 7ES	Single storey side extension to dwelling house (utility/storage, w.c. and living space)	Approval	11/10/2019
19/01314/FUL	Full Application	157 Blagreaves Lane Derby DE23 1PY	Erection of outbuilding (garage)	Approval	23/10/2019
19/01316/VAR	Variation of Condition	85 Western Road Mickleover Derby DE3 9GQ	Single storey side and rear extensions to dwelling house (utility and enlargement of kitchen) - variation of condition 2 of previously approved planning permission 19/00006/FUL to increase the roof height of the extension	Approval	23/10/2019
19/01317/FUL	Full Application	10 Pear Tree Crescent Derby DE23 8RN	Retention of the erection of an outbuilding (games room)	Approval	23/10/2019
19/01320/FUL	Full Application	103 Brighton Road Derby DE24 8SZ	Change of use from a six bedroom house in multiple occupation (Use Class C4) to a seven bedroom house in multiple occupation (Sui Generis use)	Approval	23/10/2019
19/01324/FUL	Full Application	14 Bradwell Close Derby DE3 9DY	Installation of an external staircase to the rear elevation, a pitched roof to the existing garage and alterations to the fenestration	Approval	23/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
19/01331/FUL	Full Application	11 Springfield Road Chellaston Derby DE73 5SL	Single storey front extension to dwelling house (porch and enlargement of garage)	Approval	14/10/2019
19/01332/FUL	Full Application	26 Corn Market Derby DE1 2DP	Installation of a new shopfront	Approval	23/10/2019
19/01337/LBA	Listed Building Consent - Alterations	3 St Marys Gate Derby DE1 3JA	Formation of new internal doorway, relocation of an existing chimney piece within the building and the installation of new stainless steel ties	Approval	25/10/2019
19/01342/FUL	Full Application	73A Chain Lane Derby DE23 4DY	Retention of single storey side extensions to bungalow (utlity, sun lounge and enlargement of kitchen) and installation of a bay window to the front elevation to form a study	Approval	23/10/2019
19/01343/FUL	Full Application	Land At The Junction Of Meadow Lane And London Road Derby	Erection of a compound for use as a data centre. Installation of eight air conditioning units, two generators with a boundary fence and gates	Approval	23/10/2019
19/01346/FUL	Full Application	5 Macready Place Derby DE24 8PL	Single storey side and rear extensions to dwelling house (bathroom, kitchen/dining area, w.c. utility and bedroom)	Approval	23/10/2019
19/01349/FUL	Full Application	11 Sycamore Avenue Derby DE22 2HZ	Single storey rear extension to dwelling house (conservatory)	Application Withdrawn	08/10/2019
19/01351/NONM	Non-Material Amendment	Derby Triangle Wyvern Way Derby DE21 6NZ	Enabling Infrastructure Works Prior To Change Of Use Of Existing Undeveloped Land To Open Space Including Flood Alleviation Conveyance Corridor, Top Soil Stripping And Earthworks Re-Modelling Within The Wider Outline Planning Application Site For Mixed Use Employment Development - non-material amendment to previously approved permission	Approval	10/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			DER/08/17/01099 to re-position the maintenance access ramps		
19/01369/FUL	Full Application	6 Park Farm Centre Park Farm Drive Derby DE22 2QN	Change of use from a bank (Use Class A2) to a mixed use retail and coffee shop (Use Classes A1 and A3)	Approval	25/10/2019
19/01370/ADV	Advertisement Consent	6 Park Farm Centre Park Farm Drive Derby DE22 2QN	Display of two internally illuminated fascia signs and one internally illuminated projecting sign	Approval	23/10/2019
19/01371/ADV	Advertisement Consent	Half Moon Inn 534 Burton Road Derby DE23 6FN	Display of various signage	Approval	22/10/2019
19/01374/FUL	Full Application	158 - 160 Burton Road Derby DE1 1TQ	Retention of the installation of an ATM	Approval	23/10/2019
19/01375/ADV	Advertisement Consent	158 - 160 Burton Road Derby DE1 1TQ	Retention of the installation of an internally illuminated ATM surround	Approval	22/10/2019
19/01389/DISC	Compliance/Discharge of Condition	Site Of 39 Penny Long Lane Derby DE22 1AX	Substitution of house types to all plots - Discharge of condition 3 of previously approved application code No. 19/00543/FUL	Discharge of Conditions Complete	18/10/2019
19/01413/DISC	Compliance/Discharge of Condition	147 Swarkestone Road Derby DE73 6UD	Erection of a two metre high boundary wall and railings - Discharge of condition 3 of previously approved application code No. 19/00595/FUL	Discharge of Conditions Complete	18/10/2019
19/01420/NONM	Non-Material Amendment	18 Queens Drive Derby DE23 6DT	Single storey rear extension to dwelling house (living space), roof extensions / alterations to include the installation of a first floor side elevation window to form rooms in the roof	Approval	16/10/2019

Application No:	Application Type	Location	Proposal	Decision	Decision Date
			space (bedroom and en-suite) and erection of a raised terrace to the rear elevation - non-material amendment to previously approved planning permission 18/01727/FUL to amend the rear extension roof to a flat roof with a parapet and lantern roof light		
19/01431/NONM	Non-Material Amendment	10 Quarn Drive Derby DE22 2NQ	Two storey side and two storey and single storey rear extensions to dwelling house (kitchen/living space, utility, bedroom, bathroom and en-suite) - non-material amendment to previously approved planning permission 18/01873/FUL to include a ground floor window to the west elevation and reconfiguration of windows and doors to the south elevation	Approval	10/10/2019
19/01444/DISC	Compliance/Discharge of Condition	74 Burlington Way Derby DE3 9BD	Two storey side and single storey rear extensions to dwelling house (garage, utility, kitchen/dining/family space, bedroom and en-suite) - Discharge of condition no 3 of previously approved permission DER/19/00057	Discharge of Conditions Complete	10/10/2019