

City of Derby Local Plan Review

Written Statement

&

~~Proposals Map~~

Adopted Plan

**This document should be read in
conjunction with the Derby City Local Plan
– Part 1 Core Strategy**

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1. Introduction

The City of Derby

- 1.1 — Derby is a free standing city of nearly 234,000 people. This has grown by about 10,000 over the last ten years. A significant reason for this growth has been the expansion of the University of Derby and this is reflected in the fact that the City has a younger age structure than the rest of the County. About 40% of the population are from ethnic minority backgrounds, mainly living in the central and southern parts of the City. The City's administrative area covers some 7,803 hectares.
- 1.2 — Derby lies on the River Derwent towards the southern end of Derbyshire. To the south there is the Trent Valley and to the north the Derbyshire Uplands and the Peak District. Together with Leicester and Nottingham, Derby forms part of the "Three Cities" sub region of the East Midlands. As the third largest City in the East Midlands, it is a regionally important centre.
- 1.3 — The built-up area of Derby extends to the City boundary along much of its length. The growth of the urban area has absorbed a number of previously separate villages which now form distinct suburbs such as Spondon and Mickleover. New suburbs have also grown up recently, particularly at Oakwood in the north-east and at Heatherton to the south of Littleover. Derby's urban character is relieved and defined by "green wedges" of open land which help to maintain separate community identities. The City is surrounded by a rural area containing villages which have strong links with Derby for jobs, shopping and entertainment. Its northern and eastern boundaries are defined by green belt which separates Derby and Nottingham.
- 1.4 — Derby has excellent rail connections to the Midland Main Line and good access by road to the M1, A52, A50 and the A38 including to East Midlands Airport. These have contributed to the City's growth as an employment centre. It has a strong manufacturing base, with internationally known companies such as Rolls Royce, Acordis and Adtranz within the City and the Toyota site just outside it, but also a growing service sector, such as the "Egg" call centre on Pride Park. There are significant concentrations of social and economic deprivation in parts of the City.

The Local Plan Process

- 1.5 Work began on the City of Derby Local Plan Review in 1999 with the publication of a joint planning and transportation consultation document called “Your Derby”. In 2001, the Council consulted on the “First Deposit” of the Local Plan Review. A “Revised Deposit” was produced in 2002 which addressed many of the representations made on the First Deposit. Outstanding objections were considered at a Public Inquiry held towards the end of 2003 and the early part of 2004. The Inquiry Inspector’s report was received in January 2005 and modifications resulting from this published in September. The Local Plan Review was formally adopted in January 2006.
- 1.6 The CDLP Review was prepared under the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991. However, the Planning & Compulsory Purchase Act 2004 has introduced a new system of preparing planning documents, which taken together are known as the Local Development Framework (LDF). This LDF will consist of a number of different planning documents, which include new style Development Plan Documents (DPDs) which replace the traditional Local Plan. Under the new arrangements, the CDLP Review is being saved as the Council’s LDF and will be progressively replaced by the new style documents over time. The Council’s programme for preparing these new planning documents is set out in its Local Development Scheme (LDS). This will be kept under review to ensure that the programme is up-to-date.

Wider Policy Context

- 1.7 The Local Plan Review aims to contribute to the national and international debate about how best to respond to climate change and the need to reduce air pollution. Government policy places great weight on achieving sustainable forms of development and reducing the need to travel, especially by car. The “Urban Task Force”, chaired by Lord Rogers, confirmed the need to make our towns and cities more attractive places to live and work in if we are going to reverse urban decline and reduce continued sprawl into the countryside. Their report referred to the need for an “Urban Renaissance”, in which urban communities are revitalised as desirable places to live and work in. These ideas have been taken on board by the Government in its “Urban White Paper” (Our Towns and Cities: The Future) published in November 2000 and the Sustainable Communities Plan of 2003 which complements it. National planning guidance also give great weight to these issues.
- 1.8 These themes are key elements in the Regional Spatial Strategy for the East Midlands, published in 2005. This seeks to support regeneration in

disadvantaged areas including Derby, Leicester and Nottingham. It advocates a sequential approach to development, prioritising the use of previously developed land and sites within the Region's towns and cities.

- 1.9 The CDLP Review has been prepared within the broad context of the 2001 Derby and Derbyshire Joint Structure Plan and the 2002 Regional Planning Guidance for the East Midlands to 2021 (RPG8). Both documents emphasise the principles of sustainable development, including giving priority to the re-use of previously developed land and of reducing the need to travel. The Council has liaised with neighbouring authorities to ensure that planning policies are well integrated and consistent with each other.
- 1.10 The Joint Structure Plan is saved under transitional arrangements of the new planning system, probably until 2008 unless this period is extended. RPG8 has now been replaced by the 2005 Regional Spatial Strategy for the East Midlands (RSS8), a draft version of which was taken into consideration in drawing up the CDLP Review. Together with the Joint Structure Plan and RSS8, the CDLP Review forms the Development Plan for the City of Derby. A review RSS8 is currently being undertaken and expected to be completed in 2008.
- 1.11 The Local Plan has paid particular regard to the City Council's broader corporate strategy and to policies and strategies agreed in partnership with others. There are close linkages with the Local Transport Plan and the Council's Housing Strategy. Its policies also support important corporate objectives such as lifelong learning and social inclusion. The key partnership document is the Derby City Partnership's "2020 Vision" which sets out a strategy for Derby to become a "Top Ten" City. The Local Plan has sought to reflect and develop the strategic priorities of the Partnership for economic prosperity, learning, social inclusion, quality of life and culture.

Content of the Plan

- 1.12 The Local Plan Review has a clearly stated strategy, set out in Chapter 2. This reflects the Council's vision to promote Derby's economic, social and environmental well being and to provide the best possible quality of life for all of its citizens. This vision is supported by a range of objectives and policies addressing the key themes of sustainability, regeneration, transport, economic prosperity, the environment, urban design, social inclusion and lifelong learning. General Development Control policies are set out in Chapter 3.
- 1.13 A new 'cross cutting' regeneration chapter is included to reflect the key status of regeneration in the Plan's objectives. This chapter sets out the City's regeneration priorities and identifies a range of opportunities for mixed use development on key regeneration sites, principally within the inner City.

- ~~1.14 A new City Centre chapter is also included to reflect its importance to Derby's economic prosperity. This identifies regeneration opportunities and sets out the context for new retail development. It includes policies to guide large redevelopment schemes at Becket Well, the Bus Station and Castlefields Main Centre (Westfield) and identifies major opportunities for new housing development.~~
- ~~1.15 In addition to these cross-cutting issues, the Plan provides guidance on the topics of housing, economic prosperity, shopping, the environment, leisure and community services, learning and health and transport. A separate chapter is devoted to each of these topics. Finally, the Plan includes a brief monitoring and implementation section which contains a range of indicators and targets relevant to its strategy.~~

Format

- ~~1.16 The Plan consists of this Written Statement and a set of maps, which are the Proposals Map. Within the Written Statement, the policies can be identified as those sections of text without paragraph numbers. Text with paragraph numbers represents reasoned justification.~~
- ~~1.17 It is emphasised that the Plan must be read as a whole in order to gain a complete picture of the policies affecting a particular site or area. In the event of a contradiction between the Written Statement and the Proposals map, the provisions of the Written Statement will prevail.~~
- ~~1.18 Readers are also reminded that the CDLP Review will be progressively replaced by new Development Plan Documents over time. The Local Plan will therefore only form part of the Council's planning policy framework as set out in the LDF. It is therefore important that all relevant documents and policies are consulted. The LDF is likely to consist of a number of folders within which separate planning documents are contained. The CDLP Review will be contained within one of these folders. An up-to-date picture of what documents form the LDF at any given time can be gained from the Local Development Scheme. This should be consulted to ensure that you have all relevant documents and policies.~~

2. Strategy

Introduction

- 2.1 The aim of this Chapter is to establish a clear and coherent strategy for the Local Plan Review. This strategy promotes the economic, social and environmental well being of the City within the context of sustainable development and regeneration. It includes an overall vision for Derby and a number of more specific objectives that support it. These are not land use based as such, and are therefore not expressed as policy. Nevertheless, they will be given weight as a statement of the main aims and objectives of the plan and the basis on which its policies have been established.

Planning Vision Statement

The City Council will seek to ensure that development promotes the economic, social and environmental well being of Derby and contributes to improving the quality of life for its citizens.

- 2.2 The Local Plan Review has been prepared within the context of an overall 10 year vision for Derby. This seeks to promote the City's economic, social and environmental well being and to help improve people's quality of life. However, a careful balance is needed between these sometimes competing aims. The Plan seeks to reconcile competing demands on land resources through the concept of sustainable development which seeks to meet current needs and improve our well being without damaging the environment or detracting from the present or future needs of others.
- 2.3 The vision has been prepared within the context of national and regional planning guidance as well as the Joint Structure Plan. It also reflects wider corporate goals and the priorities of Derby City Partnership's 20:20 Vision. The Plan therefore aims to promote economic prosperity, encourage a more cohesive and inclusive society, increase the efficiency with which scarce resources are used and foster a high quality environment.

Statement of Key Planning Objectives

In considering development proposals, the City Council will seek to achieve the following objectives:

- a. Promoting sustainable patterns and mixes of land use which reduce the need to travel and exploiting opportunities to make the fullest use of alternatives to the car. New development should be well related to the urban area and not unnecessarily extend it into the countryside, green wedges or other important areas of open land.*
- b. Promoting the economic, social and environmental regeneration of the urban area. In particular, the Council will seek to promote urban living and a renaissance of the City Centre. It will also seek to protect and enhance local services and create safe, accessible and attractive environments.*
- c. Facilitating an integrated approach to transport which helps to achieve a more efficient, accessible and safe network. The Council will seek to ensure that development contributes to improving transport choice and accessibility to alternatives to the car. It will also seek to ensure that existing pedestrian or cycle routes are retained and, where possible, that additional links are provided into, through and out of development sites.*
- d. Promoting social inclusion, meeting housing needs and reducing poverty, ill health and the effects of disability. In particular, the Council will give weight to proposals that offer advantages to young people, children in families on low income, lone parents, disabled people, older people on low incomes, long term unemployed people and people from minority ethnic communities.*
- e. Making fullest use of previously used land and buildings and improving energy efficiency.*
- f. Reducing waste and pollution, in particular air and water pollution. In considering development proposals, the Council will have full regard to its objectives of improving the health and well being of Derby residents.*
- g. Assisting in creating a prosperous and economically vibrant city by encouraging inward investment, the establishment of new small and medium sized enterprises and the expansion or relocation of existing businesses.*
- h. Improving the quality and design of the urban environment, making urban living more attractive, accessible, safe and secure.*
- i. Ensuring the environmental well-being of the City, including the conservation and enhancement of its key natural and cultural resources, its heritage, local distinctiveness and community identity.*

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|----|---|
| j. | <i>Promoting lifelong learning and encouraging development that supports the educational objectives of the University, Derby College, secondary schools, primary schools and nurseries.</i> |
| k. | <i>Making use of best practice in land use planning for water management and flood protection.</i> |

2.4 The Council's planning vision is underpinned by these eleven key objectives. The Council will consider development proposals in terms of these overall objectives as well as the Plan's more specific planning policies.

- a. A key task of the Local Plan Review is to promote sustainable forms of development that help reduce pollution and improve air quality by reducing the need to travel. This can be achieved by encouraging more mixed use development so that people need to travel less and by encouraging development in locations that have good access to public transport. It also means encouraging people to use their cars less and finding alternative, more environmentally friendly, ways to travel such as cycling, walking and using public transport. A strong emphasis on development being located within, or well related to, the existing urban area is an important policy of the Joint Structure Plan. This is intended to minimise the outward expansion of the City and to encourage urban regeneration in the interests of sustainability.
- b. The Local Plan Review aims to achieve sustainable development objectives by promoting urban regeneration and strengthening existing urban communities. Strategies to help the economic, social and environmental regeneration of urban areas will play a central role in making City living more attractive and creating an 'Urban Renaissance'.
- c. An integrated approach to transport will encourage people to choose more sustainable means of travel and to transfer more easily between different modes of transport. The intention is to encourage the use of alternatives to the car in order to reduce air and noise pollution and to improve road safety. For this reason, new development should be located and designed to encourage sustainable forms of transport.
- d. Meeting housing needs as set out in the Joint Structure Plan and the Council's housing strategy is an essential task of the Local Plan. Promoting social inclusion and tackling poverty, ill health and disability are important corporate objectives.
- e. Sustainable development means ensuring that key resources such as land, buildings and energy are used effectively and efficiently. This means giving priority to the redevelopment of previously developed, or brownfield, sites or the refurbishment of vacant or underused buildings, rather than the development of greenfield sites. It also

means promoting forms of development that use energy as efficiently and effectively as possible.

- f. The reduction of waste and pollution is crucial to creating more sustainable forms of living. Success in achieving this will help to improve the City's overall environmental quality and will contribute to global sustainability. It will also help to achieve the Council's wider aims of improving local people's health and promote social inclusion.
- g. The Council places great weight on achieving a prosperous and economically vibrant City. This is an important objective in its own right as well as being essential to achieving other objectives such as reducing poverty. A range of new employment generating development will therefore be encouraged to meet the full range of business requirements provided it is in line with wider sustainability objectives.
- h. This objective is vital in order to encourage an urban renaissance which will both revitalise Derby's urban areas and reduce pressures for developing on greenfield sites.
- i. Conservation of our natural and built heritage is a key objective, both in its own right and as a means of contributing to an urban renaissance.
- j. A well educated and highly skilled workforce is a vital component of a successful local economy and a key corporate objective. Encouraging development that will promote lifelong learning will also help achieve social inclusion and sustainability objectives by ensuring that everybody can reach their full potential and contribute effectively to society.
- k. This objective establishes flood control as a key strategic priority.

3. General Development

Introduction

- 3.1 The policies in this chapter set out general criteria against which applications for planning permission will be considered. They cover a range of issues such as social inclusion, amenity, infrastructure and implementation.

GD1 Social Inclusion

The City Council will seek to ensure that development proposals help to meet the objective of promoting social inclusion and reduce the effects of exclusion, such as poverty, ill-health and disability. It will seek to ensure a mix of housing types and tenures in all areas.

The Council will require that, whenever possible, development proposals by virtue of their location and physical features meet the highest standards of accessibility and inclusion so that all potential users, regardless of disability, age or gender can use them safely and easily.

Within larger buildings open to the public, the Council will seek to ensure the provision of facilities for the care of young children such as baby feeding areas, suitably designed toilets, childcare facilities, pram parks and luggage stores.

- 3.2 Ensuring an adequate supply of housing, including housing to meet affordable and special needs, is a key way that the Local Plan can contribute to the wider objectives of promoting social inclusion. The planning process can also contribute by giving weight to the extent to which new development proposals will address factors such as poverty, ill-health and disability. In buildings where large numbers of people are likely to gather, these objectives can be achieved by securing facilities to help disabled people and others with special needs, including young children. This policy is intended to complement rather than duplicate the provisions of the Building Regulations.

GD2 — Protection of the Environment

Development should protect, and where possible enhance, the City's environment, its natural resources and its built heritage. Full regard will be paid to the need to protect and enhance landscape character, local distinctiveness and community identity. Existing landscape features such as woodland areas, trees, hedgerows, ponds and buildings of interest should be retained where possible and incorporated into the overall design.

- 3.3 Conservation of the City's natural and built heritage is a key objective in its own right. These resources are usually finite and impossible to replace. They are often vulnerable to pressures for change or development. Where the heritage feature is not so important as to justify refusing any form of development, careful design can still ensure its maintenance. Careful protection of heritage features and sensitive design to integrate them into new development will contribute to an urban renaissance by making the urban environment more attractive.
- 3.4 Paragraph 25 of PPS7 (Sustainable Development in Rural Areas) acknowledges that areas of landscape outside nationally designated areas can be highly valued locally. It goes on to recognise that criteria based policies, and the use of tools such as landscape character assessments, can provide sufficient protection for such areas. This advice is reflected in Policy 30 of the Regional Spatial Strategy for the East Midlands (RSS 8). Environment Policy 1 (Landscape Character) of the Joint Structure Plan seeks to prevent development that would have an unacceptable effect on landscape character and diversity. Where development is permitted, it encourages opportunities, as appropriate, to conserve, enhance and restore the local distinctiveness, character and diversity of the landscape. In considering development proposals that might affect areas of landscape value, the Council will use landscape character assessments such as the 'Landscape Character of Derbyshire' document prepared by Derbyshire County Council.

GD3—Flood Protection

~~Except where satisfactory compensatory measures are provided to off-set any potential adverse effects of development on the water environment and associated lands, planning permission will not be granted for development which:~~

- ~~a.—— lies within undefended areas at risk of flooding;~~
- ~~b.—— would create or exacerbate flooding elsewhere;~~
- ~~c.—— results in the loss of natural floodplain;~~
- ~~d.—— would impede access to a watercourse for maintenance or flood defence purposes;~~
- ~~e.—— does not provide for the adequate management of surface run-off using sustainable drainage principles, unless it can be demonstrated that their use is inappropriate.~~

~~3.5 PPG25 advises that the planning system should ensure that new development is safe, is not exposed to unnecessary flooding risk and does not contribute to increased flood risk. This policy aims to protect important floodplain areas. These may be areas which are subject to a serious risk of flooding. They may also be areas where development would increase the risk of flooding elsewhere by reducing the storage capacity of washlands and/or by impeding the flow of floodwater. Planning permission will only be granted in these areas where the City Council, as advised by the Environment Agency, is satisfied that compensating measures will fully mitigate potential flood problems. To assist in guiding decisions the Environment Agency have prepared Indicative Flood Plain Maps and these will be used to assist in decision making in these areas.~~

~~3.6 The Environment Agency has developed and implemented a flood defence strategy for the complete length of the River Derwent through the City. Protection against flooding more frequently than the one in 100 years risk depends on the retention of the existing flood plain and the protection and maintenance of flood defences. It is likely that only development of a very modest nature would be appropriate within this flood plain. Applications affecting these areas should be accompanied by an assessment of the potential impact of the development on the flood plain and on the flood defence strategy. Any mitigation measures must be environmentally sensitive and seek to work with the ecosystem.~~

GD4 Design and the Urban Environment

The City Council will only permit development which makes a positive contribution to good urban design. Proposals should meet the following objectives:

- a. Preserve or enhance local distinctiveness and take account of any topographical or other features;**
- b. The proposal should respect the urban grain of the surrounding area in terms of its scale, layout, density, height, massing, architectural style and building types, materials and landscaping;**
- c. Provide a road network designed to reduce the speed of traffic, traffic congestion and encourage safe pedestrian and cycle movements both within the site and into and out of it;**
- d. Facilitate journeys made by foot, cycle and public transport rather than by private car;**
- e. Create an attractive environment, including open spaces which in larger schemes link together to create an area with a clear identity and structure.**

Development proposals for significant or sensitive sites should be accompanied by a design statement.

- 3.7 High quality urban design is essential to achieving an urban renaissance. This policy aims to ensure that new development is of a high quality and will contribute to an urban renaissance by making urban living more desirable. Urban grain describes the pattern of streets and buildings and the mix of building types and uses within them. It describes different urban characters and is determined by a number of factors such as those set out in criterion b that contribute to the overall sense of 'feel' for an area. Whilst there may be opportunities to actually improve poor quality environments, new development should respect the character and distinctiveness of existing areas, especially where these are historically or architecturally important. The Council also believes that successful design solutions can encourage a choice of transport modes and therefore contribute to sustainability objectives. It will, for instance, expect new developments to be designed to encourage greater use of non-car based transport. This could include careful design of layouts and ensuring that higher density schemes make adequate provision for secure cycle parking.

GD5 Amenity

Planning permission will only be granted for development where it provides a satisfactory level of amenity within the site or building itself and provided it would not cause unacceptable harm to the amenity of nearby areas. In considering harm, the Council will consider the following:

- a. Loss of privacy;**
- b. Overbearing (massing) effect;**
- c. Loss of sunlight and daylight;**
- d. Noise, vibration, smells, fumes, smoke, soot, ash, dust or grit;**
- e. Air, water, noise and light pollution;**
- f. Hazardous substances and industrial processes;**
- g. Traffic generation, access and car parking.**

- 3.8 It is a well established planning principle that new development should not seriously detract from the amenity of nearby land, property or the occupants of these. The point at which new development will unacceptably affect nearby areas will depend on the nature of the activity proposed and the nature of the surrounding area. The policy is intended to protect both residential amenity and the amenity of other activities such as businesses. It is also intended to protect the amenity of areas, such as Conservation Areas, where a high level of amenity forms an integral part of its overall character. It is also good planning practice to ensure new development provides satisfactory levels of amenity within the site, although this will of course need to be considered with regard to the nature of the operation and use.

GD6 Safeguarding Development Potential

~~Planning permission will only be granted for development provided it does not prejudice the development potential of any land with planning permission or land allocated for development in this Local Plan or a Local Plan of an adjacent local planning authority. In particular, the Council will ensure that:~~

- ~~a. The nature and scale of development is fully compatible with other development planned in the vicinity;~~
- ~~b. Access opportunities are protected;~~
- ~~c. The infrastructure provided as part of a new development is capable of linkage to infrastructure required for the development of adjoining land.~~

- ~~3.9 The purpose of this policy is to protect the development potential of suitably located land so that additional pressures are not placed on land in sensitive locations, for example green wedges. It is intended to apply to development likely to affect all land use allocations in local plans or sites with planning permission whether they are within the City itself or on land adjoining the City boundary within another authority.~~

GD7 Comprehensive Development

~~Planning permission will only be granted where a comprehensive and co-ordinated approach to development can be demonstrated. In particular the City Council will seek to ensure that the density, layout and design of roads, buildings and open space is comprehensively phased and implemented within identified development sites.~~

~~The Council will also seek to ensure that timescales for providing necessary infrastructure are closely related to needs generated by the development and its occupants.~~

- ~~3.10 This policy is intended to ensure that a comprehensive approach is taken to development, seeking a greater integration of land use and transport both on and around sites. Developers, when submitting a planning application for part of a site, should demonstrate that the proposal would not prejudice the comprehensive development of the site as a whole in accordance with the~~

Plan's objectives. This should mean developers liaising with each other to achieve a comprehensive form of development. Where this is not practical, developers will need to demonstrate how the proposal meets the Plan's objectives for the site by indicating, for example, through a master plan, how the different parts of the development relate to each other.

GD8 Infrastructure

New development will make provision for necessary and appropriate infrastructure directly related to the development proposed, including pedestrian, cycle and public transport facilities and services, traffic management measures, road improvements, water, sewerage and surface water drainage, recycling facilities; and other utilities and social infrastructure such as primary and secondary schools, health and community facilities, including public space, sport and recreation. This will include both on-site requirements related to the proposed use and to off-site requirements needed to avoid placing additional burdens on the existing community. Where appropriate, developer contributions will be pooled to allow infrastructure to be funded in a fair and equitable way.

- 3.11 The provision of infrastructure is identified in PPS 12 (Local Development Frameworks) as an important component of all major new developments. In drawing up proposals for this Plan, the Council has had regard to existing and planned infrastructure. However, specific infrastructure improvements likely to be required to enable a development scheme need to be assessed as part of the planning application process. This is particularly relevant for utilities based infrastructure such as gas, electricity or water supply. It will also be true of smaller scale road or junction improvements.

GD9 Implementation

~~The City Council will take necessary action to implement the policies and proposals of this Plan, including as appropriate, by:~~

- ~~a. Applying planning conditions;~~
- ~~b. Entering into Section 106 Obligations;~~
- ~~c. Entering into joint development schemes;~~
- ~~d. Assisting with site assembly;~~
- ~~e. Using Compulsory Purchase powers;~~
- ~~f. Making Article 4 Directions;~~
- ~~g. Seeking external funding.~~

~~3.12 Effective implementation of the Plan's policies and proposals is vital to its overall success and a key part of the monitoring and review process. It is therefore important that the Plan includes appropriate mechanisms to secure these. The main mechanism for implementing the Plan will be through the determination of planning applications. In some cases, the Council will play a more direct role, such as preparing Supplementary Planning Documents.~~

~~3.13 Effective implementation means ensuring that new development provides for necessary physical and social infrastructure as well as other supporting facilities. These include the provision of reasonable levels of public open space, affordable housing, lifetime homes, education and community facilities as well as physical requirements such as transport and utilities such as gas, water and electricity. It also means securing the protection of important resources in line with the Plan's policies, such as important buildings and townscape or nature conservation interests.~~

~~3.14 Where necessary infrastructure or facilities cannot be secured through the use of planning conditions, for instance where they would need to be provided off site, the Council will seek to enter into S106 Obligations. These will be sought, or accepted if offered where a proposed development would create a need for particular facilities, or would have a damaging effect on the environment, local amenity or would adversely affect national or local policies. Agreements will only be sought where they are necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and are reasonable in all other respects.~~

~~3.15 The emphasis of the Plan on regeneration is likely to lead to an increased involvement in the development process by the City Council. Previously developed sites, especially where these are in multiple ownerships and fully~~

~~or partially operational, can be complex to bring forward for redevelopment. The City Council recognises that it should play a proactive role in implementing these sites by preparing Supplementary Planning Documents or less formal guidance, assisting with site assembly and, where necessary, by using its compulsory purchase powers. Such sites may require additional funding assistance and where appropriate the Council will aim to help secure additional funding from external agencies involved with regeneration issues.~~

~~3.16 Article 4 Directions can be applied to restrict normal permitted development rights in locations such as Conservation Areas where a tighter than usual control on development is justified by the exceptional character of the area.~~

~~3.17 Developers are advised to contact Planning Officers at an early stage to discuss planning requirements and issues likely to be relevant in drawing up S106 agreements, especially for larger schemes. Developers are also advised to contact the Council for advice regarding Supplementary Planning Documents and other guidance that should be taken into account in drawing up their proposals. Old style Supplementary Planning Guidance and a programme for new style Supplementary Planning Documents can be seen in the Council's annual Local Development Scheme.~~

4. Regeneration

Introduction

4.1 — Regeneration is a key theme of the Local Plan Review and a vital component of its sustainability agenda. National planning objectives encourage Local Authorities to contribute to an urban renaissance by making urban living more popular. Regeneration is also an important corporate objective at the local level. For instance, the Derby City Partnership Strategy ‘Derby’s 20:20 Vision’ specifically identifies the importance of improving and redeveloping key sites, principally within the Inner City. Policies identify a number of specific regeneration opportunities and priority areas. This chapter sets out policies for mixed use regeneration opportunities (Policies R2 — R6). City Centre regeneration priorities are contained in Chapter 5 (Policies CC4, CC5, CC6, CC8, CC9, CC12 and CC13) and Employment regeneration opportunities are set out in Chapter 7 (Policies EP1, EP2, EP3, EP5, EP6 and EP7). This Chapter also gives a special status to the Normanton Road/ Peartree Road area as a Linear Centre and includes a policy to support its continued regeneration.

Regeneration Strategy

R1 — Regeneration Priorities

The City Council will give priority to the implementation of the following key regeneration opportunities:

Employment:

- **Chellaston Business Park – Land South of Wilmore Road, Sinfyn (EP1)**
- **Raynesway/Acordis (EP2)**
- **Pride Park, including the Roundhouse (EP3)**
- **Bombardier (EP5)**
- **Chaddesden Sidings (EP6 & EP7)**

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City Centre

- ~~Becket Well Policy Area (CC4)~~
- ~~Castlefields Main Centre (CC5)~~
- ~~Bus Station (Riverlights) (CC6)~~
- ~~Riverside – Derwent Street (CC8)~~
- ~~Northern Quarter (CC9)~~
- ~~Full Street Police Station, Magistrates' Courts and Cathedral Gardens (CC12)~~
- ~~Castle Ward (CC13)~~

Mixed Use Regeneration Opportunities

- ~~Former Friar Gate Goods Yard and Environs (R2)~~
- ~~Land to the South of Slack Lane (R3)~~
- ~~Former Manor/ Kingsway Hospitals (R4)~~
- ~~Baseball Ground (R5)~~
- ~~Darley Abbey Mills (R6)~~

Learning and Health

- ~~The Derbyshire Royal Infirmary (LE6)~~

~~The Council will also give weight to development proposals that offer regeneration opportunities within the Council's Neighbourhood Priority Areas, the Derwent Community Partnership Area (New Deal) and the City Centre.~~

- 4.2 ~~Successful urban regeneration is vital to the sustainable development agenda. This means revitalising existing urban areas by bringing derelict and redundant land and buildings back into beneficial use. It also means supporting the Council's wider anti-poverty and social inclusion objectives. Specific priority is given to the Council's Priority Neighbourhoods, the New Deal Area, the City Centre and a number of key priority regeneration sites throughout the City. The key regeneration opportunity sites reflect the priorities of the Derby City Partnership. The City Centre Eastern Fringes Area~~

~~Action Plan DPD will provide a detailed planning framework for a major regeneration opportunity to the east of the City Centre, including the Castle Ward and DRI areas. Once adopted, this will supersede relevant policies set out in the Local Plan.~~

- ~~4.3 In order to help bring some of these sites forward, Derby Cityscape Ltd, Derby's Urban Regeneration Company, have published the Derby Cityscape Masterplan (2005). This provides important supplementary planning guidance and will complement other schemes such as 'Connecting Derby'.~~

Mixed Use Regeneration Opportunities

R2 Friar Gate Station and Environs

10 hectares is identified as a major mixed use regeneration opportunity on land around the former Friar Gate Railway Station.

Redevelopment of the site should meet the following objectives:

- 1. The construction of a minimum of 500 dwellings, of which 300 are expected to be completed within the plan period. The City Council will seek to negotiate the provision of a minimum of 150 affordable dwellings and appropriate supporting facilities;**
- 2. The retention, restoration and future maintenance of the Grade 2 Listed Buildings and their settings;**
- 3. Safeguarding a route for the proposed Mickleover/Mackworth Express Busway;**
- 4. A cycleway/walkway between Granville Street and the City Centre (east/west);**
- 5. A cycleway/walkway between Uttoxeter New Road and St. Alkmund's Way (north/south);**
- 6. A survey and mitigation strategy, to the satisfaction of the City Council of features of natural history importance;**
- 7. A survey of ground conditions within the site and the preparation of a mitigation strategy to demonstrate how any contamination will be alleviated.**

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Suitable additional uses include:

- a. Business (B1);**
- b. Leisure (D2);**
- c. Food and drink (A3, A4 and A5);**
- d. Non-residential institutions (D1);**
- e. Residential institutions (C1, C2 and hostels).**

Permission will also be granted for convenience retail use on the ground floor of the Bonded Warehouse, related in scale and nature to the needs of the locality, as a means of securing the preservation of the listed building.

4.4 This is a large site made up of the former Friar Gate Station, the former East Midlands Electricity site, and other adjoining land in various ownerships. The City Council considers that a residential led mixed-use scheme provides the best opportunity for securing the redevelopment of the site and reuse of the listed buildings. Its brownfield nature and proximity to both the City Centre and the potential Mickleover-Mackworth Express Busway make it an ideal site for the creation of a sustainable urban community. Given the site's central location and its good connection to the public transport network, the Council will give particular weight to the requirements of Policy H13, especially to the need for an 'urban' form of development, and to the need to encourage means of transport other than the private car.

4.5 Development schemes should pay full attention to the important conservation issues presented by this site. The Bonded Warehouse and Engine Shed are important heritage features on the site, for which new uses must be found as part of any development scheme. The space inside the Bonded Warehouse is part of its character and uses which minimise internal subdivision are likely to be favoured. Although retail is not included in the list of suitable additional uses of the site, it would, if related in scale and nature to the needs of the locality, be one way of achieving this objective. It is anticipated that some 2290 m² (gross) of convenience retail floorspace can be accommodated on the ground floor of the warehouse. The site also contains a great diversity of plant species and provides a habitat for butterflies. These are identified and offered protection under Policy E4 and Appendix B and any planning application will need to be accompanied by an analysis of the likely effects on them and propose mitigating measures for any damage likely to occur. The Derbyshire Wildlife Trust will be consulted on this matter.

- 4.6 Proposals for a cycleway-walkway from Granville Street to the City Centre is a longstanding proposal that will improve access by means of transport other than the car. The cycleway-walkway between Uttoxeter New Road and St. Alkmund's Way forms part of the City Centre Integrated Transport Project, part of a package of proposals which will replace the previous Inner Ring Road scheme.
- 4.7 There is uncertainty about how much new employment floorspace will be brought forward within the site and so no specific figure is included within Table 7.1 as contributing to Structure Plan employment land targets.

R3 Land to the south of Slack Lane

12.9 hectares of land is identified as a major mixed use regeneration opportunity on land to the south of Slack Lane. On land between Slack Lane itself and the line of the former railway, planning permission will only be granted for residential development (C3) and supporting uses. Elsewhere, permission will be granted for business and industrial uses (B1 and B2) and for residential development (C3) and supporting uses provided that a satisfactory living environment can be provided.

The City Council will prepare a planning and design brief for the site. A minimum of 100 dwellings will be provided on land between Slack Lane and the line of the former railway. The City Council will seek to negotiate the provision of affordable housing based on a target of 30% of the overall housing provision on the site. Any development scheme must also safeguard a route for the proposed Mickleover/Mackworth Expressway Busway.

- 4.8 This area lies between residential properties to the north of Slack Lane and the former Rowditch Tip to the south. Large parts of it are either vacant or underused and some parts have a generally 'run-down' feel. Its regeneration would help to improve the physical environment of the site itself as well as the surrounding area. The Council recognises that many important existing businesses operate from this site and are likely to want to continue to do so. It will therefore encourage comprehensive proposals which bring vacant and underused areas back into productive use, whilst providing for the long-term needs of existing businesses.
- 4.9 It offers substantial opportunities for mixed uses. Housing would consolidate the existing residential area at Slack Lane and public open space could be located to benefit the wider area. Land to the north of the former railway is therefore the preferred location for housing. A minimum target is set to ensure that sufficient housing is provided to create a viable residential community. Should more than 100 dwellings be developed the Council will

seek to negotiate an increased affordable housing requirement in line with Policy H11. Business and industrial uses will help to retain job opportunities in this mainly residential part of the City. These would be most appropriately located to the south of the former railway to protect residential amenity.

- 4.10 The potential for a Mickleover-Mackworth Express Busway is currently being investigated. Such a scheme would necessitate the protection of land along the former railway line through the site. The Council will also consider whether there is potential along this route for part of the strategic cycle way that runs from beyond the City boundary west of Mickleover into the former Friar Gate Station regeneration site.
- 4.11 It is unlikely that significant amounts of new employment floorspace will be brought forward within the site and so no specific figure is included within Table 7.1 as contributing to Structure Plan employment land targets.

~~R4 Land at the former Manor and Kingsway Hospitals~~

~~38.0 hectares of land at the former Manor and Kingsway Hospitals is identified as a major mixed use regeneration opportunity. Planning permission will be granted for a mixed use development which includes:~~

- ~~a. A high quality business park (Class B1) on no less than 6.9 hectares;~~**
- ~~b. The erection of a minimum of 500 open market dwellings;~~**
- ~~c. The erection of a minimum of 200 'key worker' residential units;~~**
- ~~d. Extensions to existing healthcare uses;~~**
- ~~e. New healthcare uses and ancillary facilities, including car parking and a nursery;~~**
- ~~f. A park and ride interchange.~~**

~~Development proposals should:~~

- ~~1. be accompanied by a Transport Assessment;~~**

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- ~~2. provide measures to encourage alternative modes of transport to the car; related road and junction improvements; and high quality pedestrian and cycle routes within the site;~~
- ~~3. provide measures to secure improvements to the surrounding road network to facilitate public transport and any necessary road and junction improvements;~~
- ~~4. include phased implementation of the business and residential uses;~~
- ~~5. secure the retention of trees and landscape features which make a significant contribution to the character and appearance of the site;~~
- ~~6. make provision for sports facilities based on a robust and up-to-date assessment of the need for such facilities.~~

~~The City Council will seek to enter into an obligation under Section 106 of the 1990 Act to secure open space provision, community facilities, affordable housing (key worker units) and measures to promote walking and cycling including a contribution towards a link across the A38 to the proposed Bramble Brook cycle route (Policy T15(15)).~~

~~4.12 Most of this site is now surplus to health care requirements. As a partly previously developed site within the urban area, the site offers opportunities for a significant residential led mixed use redevelopment. In addition to the major residential allocation, the site offers significant potential for business development to complement the mainly residential areas of western Derby and meet the Plan's sustainability objectives. The attractive grounds of the former hospitals offer a good location for well designed, high quality office and business development that can take advantage of a good location close to the A38 and A50. Employment uses will also provide more employment opportunities on the mainly residential western side of the City. The various health organisations have also identified a number of health care needs for part of the site, including 200 residential units for medical staff. This 'key worker' housing meets the requirement to provide a proportion of affordable housing within the site. The Council will seek to enter into an obligation under S106 of the 1990 Act to secure this if provision cannot be secured and guaranteed by planning condition.~~

~~4.13 The Council will also seek to enter into an obligation under S106 of the 1990 Act to secure public open space and other community facilities appropriate to a residential development of this scale, such as a community building and recreation facilities. Measures to promote walking and cycling and a~~

~~contribution towards a link across the A38 will be sought to reduce reliance on the car and to promote healthier lifestyles.~~

- ~~4.14 Development of the site should be phased to ensure that previously developed parts of the site are brought forward before greenfield areas and to ensure the early release of land proposed for employment use.~~
- ~~4.15 Layout, design and materials should include measures to retain and enhance the high quality landscaping features and existing buildings within the site and the adjoining green wedge.~~
- ~~4.16 Proposals should make provision for sports facilities based on an up-to-date assessment of need. Such an assessment should consider the issue of loss of former sports pitches and how this will be addressed within the context of Policy L6 (Sports Pitches and Playing Fields) and national guidance set out in PPG17.~~
- ~~4.17 Development proposals will need to be accompanied by a flood risk assessment and include an appropriate mitigation strategy if required.~~
- ~~4.18 The Council will expect development proposals to respect the living environment of residents of Cherry Tree Close and the intensive care unit.~~
- ~~4.19 The Council will prepare a Supplementary Planning Document for this site to provide additional detail and guidance.~~

~~R5 Baseball Ground~~

~~3.4 hectares is identified as a major mixed use regeneration opportunity at and around the Baseball Ground. Any redevelopment scheme should include a minimum of 150 dwellings (Use Class C3). The City Council will seek to negotiate the provision of affordable housing based on a target of 30% of the overall housing provision on the site. An additional 25% incidental open space should be provided over and above the usual standards set out in this plan. Other acceptable uses are:~~

- ~~a. Leisure and recreation uses of an open nature;~~
- ~~b. Business development (Use Class B1);~~
- ~~c. Community uses;~~
- ~~d. Residential institutions (Use Class C2).~~

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Any development scheme should make improvements as necessary to the following:

- e. The buffer between housing and industrial areas;**
- f. Off-street parking / servicing provision to existing properties;**
- g. The road network servicing existing industrial premises in the immediate area.**

4.20 Derby County Football Club no longer require the Baseball Ground which now offers a substantial opportunity for redevelopment. The Council has prepared a planning brief for the site. The Rosehill / Peartree area has deficiencies in open space provision with respect to the standards set out in this Plan. The area is also one of the most socially disadvantaged in the area, lacking many of the community facilities available to other areas. To help address these issues, the Council will require any residential development scheme to provide an additional 25% incidental open space over and above normal standards in line with the Baseball Ground Development Brief. Any development scheme would need to pay attention to the relationship between housing and industrial areas to protect and, where possible, improve living environments. The City Council would welcome some form of public art, or other suitable feature, within the redevelopment scheme which marked and celebrated the historic and cultural significance of the Baseball Ground to the City. The stadium is also included in the Sites and Monuments Register (SMR).

4.21 Whilst employment development is an acceptable use, it is not considered to be sufficiently likely to occur to justify being included as a contribution to meeting Structure Plan targets. Should any scheme include employment land, this is unlikely to be so much as to result in an oversupply.

R6 Darley Abbey Mills

Darley Abbey Mills is identified as a site of significant architectural and historical value that presents a major opportunity for mixed use regeneration. Planning permission will be granted for the conversion of existing buildings for the following uses to secure the retention, restoration, maintenance and continued use of the listed buildings, providing they are compatible with its architectural and historical character:

- a. Business use (B1);**

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b. Residential (C3)

c. Non-residential institutions (D1)

All development proposals should fully respect the high quality environment and conservation interests of the Mills complex and its important contribution to the World Heritage Site. To this end, the Council will restrict new extensions and where possible, will negotiate the removal of modern additions. Within the mainly open area in the north-eastern part of the site, built development will only be acceptable in exceptional circumstances where a convincing case can be made that the benefits of the development to the Mills complex outweigh its visual impact on the setting of the listed buildings and on the character of the Conservation Area and that of the World Heritage Site.

4.22 — Darley Abbey Mills forms part of the Darley Abbey Conservation Area and contains a mix of uses of a predominantly business and industrial nature. As such, it plays an important role in defining the industrial character of the Derwent Valley Mills World Heritage site. In line with the objective of the Derwent Valley Mills Management Plan, the Council has prepared a strategy for the Conservation Area as a whole. It has also undertaken a condition survey of the Mills together with English Heritage who have carried out detailed research into the historic significance of the mill complex which any development would need to respect. In considering residential proposals, the Council will have regard to the need to limit unnecessary alterations to the internal layout of the listed buildings. It is therefore unlikely that residential conversions will be acceptable for all buildings and for this reason no contribution towards housing supply is assumed in Table 1 of the Housing Chapter. Residential uses such as hotels, hostels or institutional uses such as student accommodation are unlikely to be acceptable for the same reasons. For similar reasons, it is unlikely that significant new build will be permitted, either as extensions to existing buildings or as free standing new build. The Council will also seek to negotiate the removal of modern additions where appropriate as a means of improving the visual aspect of the historical area. The mainly open area at the north-eastern end of the site is a good example of the need to retain openness to reflect the historical urban form and ensure that the Listed Buildings are not overshadowed by dominant new build. The only exception to this will be where benefits of development to the Mills complex outweigh its visual impact, but even in such situations impact on the setting of listed buildings and the character of the Conservation Area and the World Heritage Site will be given very considerable weight.

4.23 It is unlikely that significant amounts of new employment floorspace will be brought forward within the site and so no specific figure is included within Table 7.1 as contributing to Structure Plan employment land targets.

Regeneration Areas

R7 — Markeaton Brook Mixed Use Area

Within the Markeaton Brook mixed use area, planning permission will be granted for:

- a. — Education and related uses associated with the University of Derby;**
- b. — Business use (B1);**
- c. — Residential and related uses (C1, C2, C3 and hostels)**
- d. — Non-residential institutions (D1) and assembly and leisure uses which are unlikely to generate large numbers of visitors; and**
- e. — Extensions to existing concerns.**

4.24 The Markeaton Brook area falls within the University District defined on the Proposals Map and it is envisaged that potential exists for further University related development should this be needed. This part of the District also offers opportunities for further residential development, mainly in the form of conversion and redevelopment of existing buildings. Nevertheless, the area retains a strong business and industrial base and expansions of existing businesses, or new business development would be consistent with the existing character. However, heavier industry is likely to have unacceptable effects on the amenity of the residential uses.

R8 — Normanton Road / Peartree Road Linear Centre

Planning permission will be granted for shops (A1) and other uses which:

- a. — are compatible with the general scale, nature and function of the centre; and**
- b. — contribute to the vitality, viability and regeneration of the centre.**

At ground floor level, residential development (C3), Hotels and Residential Institutions (C1, C2), and Hostels will be restricted to areas outside the defined Primary Frontages.

Redevelopment of the former Presto site will be permitted provided this includes a substantial element of retail development.

4.25 — This is a traditional Victorian Centre that has grown up in a linear fashion along the Normanton and Peartree Roads. It contains a wide mix of uses, including retail and other similar commercial activities. It also provides community and other services for Derby's minority ethnic population and has a city wide role for diverse cuisines. Indeed, the City Council is now promoting this feature as part of its tourist strategy. Towards its southern end, commercial uses are interspersed with other uses such as housing.

4.26 — In the past, this area has exhibited symptoms of decline, including significant vacancy problems. The Council has responded to this by measures to improve the physical environment and planning policies to help maintain a vibrant and prosperous core to the Centre, most recently using finance from 'City Challenge'. This strategy has had a great deal of success and the Centre now has more vibrancy and fewer vacancies. The Council recognises that it must continue to help regenerate the area. It has been successful in obtaining further resources from the SRB 6 Programme and is continuing to bid for further resources as they become available. Key elements of the existing strategy are maintained. In particular, the Plan continues to encourage physical improvements to buildings and the environment of the area to make it more attractive. In addition to improvements to the urban fabric and general environment of the Centre, the Council will also give weight to benefits to the local population in terms of the range of goods and services offered and employment opportunities created when considering new development proposals. In this respect, the former Presto site in the middle of the centre has particular potential for regeneration. It also seeks to protect the retail and commercial core of the

~~Centre by restricting wholly non-commercial uses to outside the defined primary shopping frontages. This may have the added benefit of bringing underused or vacant units in the periphery of the centre (which have suffered most with vacancies) back into beneficial use.~~

- ~~4.27 At the northern end of the Centre is the Southgate Retail Park, which incorporates a number of retail and similar uses, and the former Mackworth College site which has an extant outline planning permission for retail and leisure development. These are included in the Centre because of the contribution they can make to local shopping services.~~

5. City Centre

Introduction

- 5.1 — This chapter reflects the importance of the City Centre and the Council's commitment to its regeneration. It establishes a strategy that emphasises opportunities for mixed uses and a strong commercial core. This is achieved by identifying an extensive and mixed use Central Area and a more tightly defined core into which new retail development is guided.
- 5.2 — Derby Cityscape Ltd, Derby's Urban Regeneration Company, was established in April 2003. It aims to deliver a co-ordinated approach to the physical, environmental, economic and social regeneration of the City Centre. The Derby Cityscape Masterplan was approved in 2005 and provides a design context and guidance for future development proposals. It also complements and incorporates other schemes currently being developed and implemented, including the 'Connecting Derby' integrated transport proposals. An overall integrated approach to the regeneration of the City Centre will have positive economic and environmental benefits and will help secure European Objective 2 funding for the implementation of identified schemes and development projects.
- 5.3 — The Chapter includes policies to guide large redevelopment schemes at Becket Well, the Bus Station and the former Castlefields Main Centre (Westfield), which is now under construction. There are major opportunities for new housing development on sites to the north and east of the River Derwent as well as within some of the redevelopment schemes. Other important sites include the Magistrates' Courts, Police Station and Cathedral Gardens on Full Street.
- 5.4 — The Review makes provision for the 'Connecting Derby' scheme as proposed in the Joint Local Transport Plan. Policies on car parking are designed to discourage car borne commuting to the City Centre, whilst supporting the Centre's vitality and viability.

Central Area

CC1 City Centre Strategy

The City Council's strategy is to consolidate and enhance the role of the City Centre as a key sub-regional centre. New investment which strengthens and integrates its retail, employment, leisure, cultural and residential functions will be permitted to support sustainable development objectives.

New retail development will be permitted having regard to the following criteria:

- a. Maintaining the compactness, vitality and viability of the City Centre Shopping Area;
- b. Strengthening the retail function of the City Centre Shopping Area;
- c. Improving pedestrian flows to less well used pedestrian routes, especially where this will improve trading levels for existing shops.

In considering development proposals, the Council will seek to improve the City Centre's physical environment and access by means of transport other than the private car. The Council will also seek to strengthen the vitality and viability of the central and northern parts of the City Centre Shopping Area.

5.5 Derby City Centre is the main focus for commercial uses, business and shopping within the City and its environs. Maintaining and enhancing its role as a sub-regional centre is a key policy of the Joint Structure Plan. To this end, the Council seeks to encourage new investment into the Centre and to improve the range and quality of services offered. Changes in people's shopping and leisure patterns have led to a wider range of uses within the Centre, including the growth of food and drink outlets, the 'evening economy' and more leisure and residential accommodation. The Plan seeks to support a diverse City Centre by identifying a wide Central Area and encouraging mixed uses within it. There are major opportunities for new regeneration schemes within the Central Area as highlighted in the Regeneration Chapter.

5.6 Within this wide Central Area, a more tightly defined commercial core, known as the City Centre Shopping Area, has been identified (see Policy CC2). The

~~Plan seeks to guide new retail development into this area. It also seeks to strengthen the vitality and viability of its central and northern parts which lie in the general area between Iron Gate, Victoria Street / Wardwick and The Strand. Parts of this area have lost shopping in recent years and the Council hopes to encourage new investment to revitalise the area as a whole and increase pedestrian flows.~~

~~CC2 City Centre Shopping Area~~

~~Within the City Centre Shopping Area defined on the Proposals Map, (subject to specific provisions for Primary Frontages, the Sadler Gate/Strand Arcade Special Shopping Area and identified sites), planning permission will only be granted for the following uses:~~

~~At all floor levels:~~

- ~~a. Shops (A1);~~
- ~~b. Financial and professional services (A2);~~
- ~~c. Food and drink uses (A3, A4 and A5), subject to Policy S12;~~
- ~~d. Laundrettes, theatres, amusement arcades;~~
- ~~e. Hotels and residential institutions (Use Class C1 and C2) and hostels;~~
- ~~f. Non-residential institutions (Use Class D1); and~~
- ~~g. Assembly and leisure uses (Use Class D2).~~

~~At first floor level and above:~~

- ~~h. Residential development (C3); and~~
- ~~i. Office development within Use Class B1.~~

5.7 This is the core of the Central Area and is the main focus for retail activity within Derby. It is into this area that the Council wishes to guide further retail investment in order to strengthen and improve the centre as a whole. While shops are the dominant use, there are also important commercial and leisure uses which generally add to its vitality and viability. Furthermore, the Council considers that residential uses and office development can also contribute to improving the mix of uses in the City Centre and its overall vibrancy. These uses will be permitted at first floor and above. A wider range of uses, at different floor levels, may be permitted in certain parts of the Central Shopping Area under policies for specific sites.

CC3 Primary Frontages

Within the City Centre Shopping Area Primary Shopping Frontages, as defined on the Proposals Map, planning permission will only be granted for shops (A1), financial and professional services (A2) and food and drink uses (A3, A4 and A5) at ground floor level. Proposals to change the ground floor use of an existing shop unit to financial and professional services (A2) or food and drink (A3, A4 and A5) will only be permitted where:

- a. **The proposal would sustain or enhance the shopping role and character of the City Centre; and**
- b. **The proposal would not undermine the vitality and viability of a specific frontage or group of frontages, either alone or cumulatively with other existing or approved non-shopping uses.**

Where planning permission is granted, conditions will be imposed requiring a ground floor shop window, with a display of visual interest, and a ground floor public reception area to be provided and maintained.

5.8 Some frontages in the City Centre Shopping Area are particularly important to its regional competitiveness, vitality and viability. They usually contain well known international and national 'multiple' retailers. However, they also can contain other uses, mainly food and drink outlets or banks and building societies. A mix of such uses can contribute to a vibrant shopping area, but it is important that primary frontages do not lose their mainly shopping character. The Plan therefore aims to prevent excessive concentrations of non-shopping uses, or the loss of key shopping units that might fragment and undermine important retail frontages. Bearing in mind these objectives, uses

~~falling outside Use Classes A1, A2 and A3, A4 and A5 will not normally be permitted at all within Primary Frontages. These restrictions will not generally apply to units above ground level except where a proposal might undermine the vitality and viability of a ground floor unit.~~

Major Projects

CC4 Becket Well Policy Area

The Becket Well Policy Area is identified as a major mixed-use regeneration opportunity. Planning permission will only be granted for proposals that:

- **Contribute to, and do not prejudice, the comprehensive redevelopment and improvement of the area;**
- **Support and contribute to the objectives of the City Centre Strategy (Policy CC1);**
- **Provide a mix of uses consistent with the nature and function of the City Centre;**
- **Exhibit a high quality of design and layout, and;**
- **Provide adequate car parking and servicing facilities.**

Improvements to the fabric and environment of Green Lane will be undertaken and a pedestrian link will be achieved from Green Lane to St Peter's Street.

In the event of proposals involving the redevelopment of the Central United Reformed Church, the City Council will seek to enter into a Section 106 Obligation to secure its replacement on an appropriate site in the City Centre.

- 5.9 Within the Becket Well area, behind successful primary shopping frontages, there is a significant amount of under-used land and buildings within a poor environment. The Council has identified this land as a major opportunity for mixed use development which will improve Derby City Centre's regional competitiveness, increase sustainability and increase pedestrian flows. The

policy does not seek to be prescriptive about the precise mix of uses, but these will have to be compatible with Policy CC2.

- 5.10 The built environment around Green Lane is of a higher quality and it is envisaged that this part of the site will be retained and refurbished. The pedestrian link to the St Peter's Street area will help to improve connections between these and strengthen retail viability and vitality, especially of the Green Lane area. The site includes a wide variety of properties, including Debenhams Department Store, substantial areas of car parking and the site of Duckworth Square.
- 5.11 The Derby City Centre Car Parking Study Final Report (November 2002) identifies a need for an additional 500 short stay parking spaces. It identifies Becket Well as a suitable location. However, until the precise nature of re-development at Becket Well can be established, there can be no certainty as to how much additional car parking can be provided in this location.

~~CC5 Castlefields Main Centre (Westfield)~~

~~Planning permission will be granted for a high quality redevelopment of the Castlefields Main Centre and the Coliseum Centre for a retail led development scheme. Proposals should:~~

- ~~a. — Integrate well with the existing Eagle Centre;~~**
- ~~b. — Protect and enhance the vitality and viability of the City Centre Shopping Area as a whole;~~**
- ~~c. — Provide additional parking to help meet the needs of the development, taking into account other transport improvements.~~**

~~The City Council will also seek to enter into an obligation under Section 106 of the 1990 Act to provide or undertake the following:~~

- ~~d. — Improve public transport facilities, links to the bus station site (CC6) and the footway/cycleway route to the railway station.~~**

~~In addition, proposals could include a replacement of the existing Register Office.~~

~~In assessing any proposals, the Council will require the submission of a retail assessment and a transport assessment.~~

~~5.12 The Castlefields Main Centre was a 1960s shopping and office development. It has been identified as a major opportunity for retail led development to help meet identified capacity for comparison retail floorspace and improve Derby's regional competitiveness. It will also contribute to sustainable development objectives. At the time of adopting the Local Plan Review, the scheme was under way and the Register Office has already been relocated to the Market Place. The policy will, however, guide any further planning applications or variations to the approved scheme should these be submitted. Any alterations to the existing proposals should continue to be well integrated with the existing Eagle Centre to ensure the overall vitality and viability of the City Centre. Because this scheme could shift the focus of retailing further to the south of the City Centre, it will be important to ensure that the vitality and viability of other parts of the centre, especially those to the north, are not adversely affected.~~

CC6 Bus Station (Riverlights)

Planning permission will be granted for the comprehensive redevelopment of the existing bus station and Cock Pitt Phase 2 site to provide a new high quality bus/coach station. As part of this redevelopment, planning permission will also be granted for a hotel, business and office development (B1), residential uses (C3), non-residential institutions (D1), assembly and leisure uses (D2), food and drink uses (A3) and a limited amount of retail development provided this is ancillary to the main uses on this site.

Proposals should:

- a. Include a bus/coach station capable of meeting identified foreseeable public transport needs;**
- b. Be of sensitive design which integrates the scheme with and improves public access to the riverside;**

The City Council will also seek to enter into an obligation under Section 106 of the 1990 Act to provide or undertake the following:

- c. Include necessary improvements to the surrounding road network;**
- d. Include public transport, pedestrian and cycle access improvements, including a joint use cycleway/walkway between the Morledge and the Riverside;**
- e. Include substantial new tree planting and use of environmental art.**

- 5.13 As part of a package of measures to reduce car use and provide a healthier, safer and more attractive City Centre, the Council will seek the redevelopment of the existing bus station and adjoining land to provide a new high quality bus/coach station and leisure facilities. The new bus/coach station will be designed to high standards. It will be safe, convenient, secure, more accessible and will offer passengers a much more pleasant experience than the present one. It will be more efficient in how it uses space and large enough to accommodate identified future growth in public transport use. The Council will encourage any scheme to include adequate provision for coaches, space for taxis and space for people to set down and pick-up travellers.

City Centre Living

~~CC7 Residential Uses within the Central Area~~

~~The City Council's policy is to encourage more people to live within the Central Area. Planning permission will therefore be granted for new development, conversion of existing buildings and the use of underused upper floorspace for residential use (C3) provided that:~~

- ~~a. A satisfactory living environment can be created;~~
- ~~b. The vitality and viability of the City Centre Shopping Area is not undermined; and~~
- ~~c. Existing business activity is not unduly inhibited.~~

~~Planning permission will not be granted for development in the Central Area which would result in the loss of residential accommodation (C3) unless there is an overriding need to support other aspects of the Council's City Centre Strategy.~~

- 5.14 ~~The Plan identifies specific opportunities for City Centre residential development, including those within major redevelopment schemes. This policy gives more general support for City Centre living so that opportunities can be exploited when they arise. The Council wishes to encourage the development of attractive City Centre living environments as these will help to make City Centre living more popular. It will encourage the development~~

of high quality schemes, including refurbishments, in attractive areas where a good living environment can be created. Such schemes could include the conversion of non-residential listed and other historic buildings back into residential use. More new housing in the City Centre will help to reduce the need to travel by encouraging a better mix of land uses. It will help bring vacant or underused land and buildings back into use and improve the Centre's overall vitality and viability. It will also help to improve safety and security through better natural surveillance and more evening activity. As part of its strategy to encourage more City Centre living, the Council will generally protect existing residential properties from pressures to redevelop or convert them to other uses. Exceptions to this may be made where the loss of residential property is necessary to implement a key element of the Council's strategy for the City Centre as set out in the policies of the Plan.

CC8 Riverside – Derwent Street

2.7 hectares of land is identified as a high quality residential (C3) led redevelopment to the west of Derwent Street.

Planning permission will also be granted for:

- a — Business uses (B1) adjacent to the Inner Ring Road ;**
- b — Supporting community facilities to meet local needs.**

Development should provide a minimum of 150 dwellings. The City Council will seek to negotiate the provision of affordable housing based on a target of 30% of the overall housing provision on the site. Where appropriate, the City Council will seek to ensure:

- c. — A pedestrian footpath, riverside boardwalk and footbridge to connect Stuart Street with Full Street public open space and Amen Alley;**
- d. — Public space improvements;**
- e. — Proposals relate well to the river and improve public access to it; and**
- f. — Proposals are of a standard and quality of design which will enhance the setting of the World Heritage Site (Policy E29).**

5.15 — This area lies to the north and east of the City Centre. It is bounded on its south and western sides by the River Derwent, St Alkmund's Way on its northern side and Darwin Place to the east. The area is currently occupied by a wide variety of uses including offices, businesses and housing. It is not

~~envisaged that the whole area, especially those parts which are currently being used, will be redeveloped. There are, however, pockets of vacant and underused land and it is these the Council wishes to see regenerated. The policy allows for a mix of different uses to reflect its existing character, but is specifically encouraging more residential development. This should be achieved in a manner that creates a good quality living environment forming an attractive residential enclave within the Central Area. The Council will encourage developers to bring forward a comprehensive scheme for the area as a whole. This will facilitate a more integrated form of development and help create more attractive and usable ancillary facilities such as public open space and environmental art.~~

- ~~5.16 Proposals should make the most of the potential offered for quality schemes overlooking the river. There should be increased public access to the riverside with a reasonable balance between public and private usage. A pedestrian footpath, riverside boardwalk and footbridge over the river will help achieve this and improve the area's access to the commercial core of the City Centre. The area lies within the World Heritage Site and so the Council will expect the standard and quality of proposals to enhance its setting.~~

Other Projects

CC9 Northern Quarter Policy Area

Within the Northern Quarter Policy Area, the City Council's priority will be to promote a 'Creative Industries Cluster'. Planning permission will be granted for business uses (B1), including workshops, residential (C3), financial and professional services (A2), non-residential institutions (D1) and assembly and leisure uses (D2).

Planning permission will be granted for retail uses (A1) on those parts of the Quarter that lie within the defined City Centre Shopping Area (CC2).

Planning permission will also be granted for food and drink uses (A3, A4 and A5) where these would be compatible with the surrounding area in terms of amenity and quality of environment, especially the Conservation Area.

Schemes should include measures to enhance pedestrian links from this area to the rest of the City Centre.

5.17 The Northern Quarter roughly covers the area between Sadler Gate and Ford Street/St. Alkmund's Way. It is mixed in character and includes a number of significant development opportunities. At its heart lies the new Magistrates' Courts, on the site of the former County Court, much of which has been retained and refurbished. Derby Cityscape envisages this area becoming an innovative and creative focus for the City Centre. The policy therefore seeks to encourage small workshops such as incubator/starter units and studios that would contribute to achieving this vision. Derby Cityscape also identifies opportunities for new leisure and residential development on a range of small sites in the Northern Quarter and the City Council will encourage these developments. Pedestrian improvements from this area to the rest of the City Centre will help create better linkages between the two and improve the areas overall vibrancy.

~~CC10 — East Street / Morledge~~

~~Planning permission will be granted for the redevelopment, refurbishment and extension of buildings on 0.3 hectares of land at East Street/Morledge for primarily retail uses. Retail uses should be predominantly at ground floor level.~~

~~5.18 — This site is made up mainly of a number of small units on Morledge occupying a prominent position opposite the bus station. There are new units on nearby East Street and Exchange Street, and more recently the Co-Op buildings have been refurbished. The Council wishes to see this regeneration extend to Morledge itself which would help to reinforce links between the proposed new bus station and the main shopping centre. It is hoped this will revitalise the area generally and improve the overall quality of its environment to make it more attractive to shoppers. Any scheme must respect the settings of the City Centre Conservation Area and the listed Corn Exchange.~~

~~CC11 — Sadler Gate / Strand Arcade Special Shopping Area~~

~~Within the Sadler Gate/Strand Arcade Special Shopping Area, at ground floor planning permission will only be granted for the following uses:~~

- ~~a. — Shops (A1);~~**
- ~~b. — Small artisans and artists workshops with a display window of visual interest and public reception area where these produce high quality goods for sale direct to the public. A condition will be applied to any planning permission to prevent the change to other uses within the B1 use class or to storage and distribution uses (B8);~~**

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~~c. The sale of food and drink (A3 and A4) for consumption on the premises only, provided that the special character and vitality and viability of the area is not harmed. Conditions will be attached to any planning permission to ensure that the premises will not be used for:~~

- ~~1. The sale of hot food for consumption off the premises; or~~**
- ~~2. Financial and professional services (A2).~~**

~~The uses acceptable at upper floors are set out in the City Centre Shopping Area Policy CC2.~~

~~5.19 This area has a high quality shopping environment and offers a unique range of speciality shops, pubs and restaurants. As such, it is a valuable shopping resource that helps the City Centre compete within the region and is an important tourist attraction. The Council wishes to strengthen this special role and will continue to encourage speciality shopping and other uses likely to contribute to its unique character. This character can be complemented and strengthened by the addition of appropriate small workshops for artists and craftspeople. The special nature of the area continues to justify a more restrictive approach to other uses than applies elsewhere in the City Centre. Hot food takeaways and financial and professional services will therefore not be permitted. Conditions will be attached to permissions to prevent any subsequent change to these uses.~~

CC12 Full Street Police Station, Magistrates' Courts and the Cathedral Gardens

Proposals for the Full Street Police Station, Magistrates' Courts and the Cathedral Gardens must:

- a. Secure the retention, maintenance and continued use of the Grade II Listed Magistrates' Courts;**

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- b. Contribute to a well integrated and comprehensive development of the site as a whole to a particularly high standard of design and layout that relates well to the river;**
- c. Provide a landscaped area of public open space in the same general location as the existing Cathedral Gardens, but which provides improved public access, relates well to new development and which provides an improved physical and visual relationship with existing areas, especially the Cathedral and the Riverside;**
- d. Incorporate uses consistent with other Local Plan policies that would maximise potential for public and civic uses of, and activity on, the site, including evening activity.**

The City Council will also seek to enter into an obligation under Section 106 of the 1990 Act to provide a contribution to the enhancement of the Cathedral Gardens, the provision of a pedestrian footpath, riverside boardwalk and footbridge to connect the remodelled Cathedral Gardens across the River to Stuart Street.

5.20 The Police Station has moved to new premises in Little Chester and the Magistrates' Courts have moved to St Mary's Court. The former Magistrates' Courts buildings are listed and must be retained in any redevelopment scheme. The Derby Cityscape Masterplan identifies an opportunity for refurbishment and redevelopment of this site, incorporating the re-structuring of the adjacent Cathedral Gardens and reorientation of pedestrian routes across it to achieve a better relationship to the Cathedral and the Riverside. The Council believes that a comprehensive form of development for the whole of this area is essential to produce the best form of layout and make the best use of existing features. The achievement of this objective does not hinge on a single planning application, provided that individual proposals are consistent with the overall objectives for the site. The Council considers that this site offers particularly good opportunities for civic uses or other similar uses of a public nature, provided these are consistent with other policies of the Plan. Other forms of development consistent with the Plan's policies may also be acceptable, although this would require very careful design and sensitive treatment, especially of the Court Rooms. The Council will seek to achieve the footpath, riverside boardwalk and footbridge in order to improve the attractiveness and accessibility of this part of the City Centre.

5.21 The site is within the Buffer Zone of the Derwent Valley Mills World Heritage Site and close to the site itself, which includes the Silk Mill Industrial Museum. Particular attention needs to be paid to the objectives contained

within the Derwent Valley Mills Management Plan. The City Council is also preparing additional urban design and development advice for the site to assist in securing a quality development.

Areas on the fringe of the City Centre

CC13 — Castle Ward

Within the Castle Ward Area, planning permission will be granted for new development, refurbishment and extensions for the following uses:

- a. — Business uses (B1);**
- b. — Residential and related uses (C1, C2, C3 and hostels);**
- c. — Food and drink uses (A3), provided these relate closely to the footway/cycleway route. Conditions will be attached to such permissions to prevent their subsequent change of use to retail (A1) and financial and professional service uses (A2); and**
- d. — Leisure uses (D2).**

Planning permission will only be granted for development provided it does not impair, and where appropriate enhances, the attractiveness of the footway/cycleway route linking Pride Park and the Railway Station with the City Centre.

5.22 This area occupies a strategic position between the City Centre Shopping Area and the railway and bus stations. It has a wide range of uses including housing, offices, industry, car showrooms, and storage and distribution. The Derby Cityscape Masterplan identifies this area as a key opportunity for change and, as such, it has been identified as a key regeneration opportunity under Policy R1. Given its key location and the good access it enjoys from both road and rail, the area provides good opportunities for business / office development. These features also create the potential for further residential development. The Council would particularly like to encourage residential schemes that consolidate existing housing at the railway station end. Where appropriate, development should help to improve pedestrian and other links between the City Centre, the Railway Station and Pride Park.

CC14 — Wellington Street

1.32 hectares of land off Wellington Street is identified for residential development to accommodate a minimum of 96 dwellings. It is expected that at least 64 dwellings will be completed within the Plan period. The City Council will seek to negotiate the provision of affordable housing based on a target of 30% of the overall housing provision on the site. Planning permission will also be granted for a small element of business (B1) development.

5.23 — This site has been carried forward from the 1998 CDLP. It lies on both sides of Carrington Street and is currently used for car parking. As a result of its important strategic location between the railway station and the City Centre, it is particularly suitable for residential development. This could help consolidate the existing housing in this area, including the historically important Railway Cottages, into a high quality City Centre neighbourhood. The anticipated number of dwellings is based on the current average density for the area, but there may be scope to achieve a higher density in this location. Developers will be strongly encouraged to explore opportunities for a higher density design with the Council. The Council also considers that a small element of business uses can be satisfactorily integrated into a mainly residential scheme in a manner that creates a quality living environment.

Environment and Access Improvements

CC15 — Improvements within the Central Area

In the Central Area, the City Council will seek to implement a series of environmental improvements within an urban design framework, including enhancements to the physical fabric, street furniture, seating, public conveniences, signing and lighting, environmental art, open spaces, pedestrian links and other transport routes.

Priority will be given to the following areas:

- a. — Albert Street/Victoria Street/ Wardwick/ The Strand;
- b. — East Street/Exchange Street;
- c. — Derwent Street/Morledge;
- d. — Bold Lane/St. Mary's Gate;
- e. — Osmaston Road/London Road;
- f. — Babington Lane/Normanton Road;
- g. — Cathedral Square;
- h. — Bass' Recreation Ground;
- i. — The Riverside and linkages to it;
- j. — The Market Place.

In considering proposals for development within the Central Area, the Council will, where appropriate, seek to negotiate obligations under Section 106 of the 1990 Act to secure contributions to improvements in these areas.

5.24 — This policy aims to improve the City Centre's environment in order to attract further investment, promote sustainable transport choices, encourage City Centre living and to meet the needs of disabled people and others with limited mobility. The Council will seek contributions to this objective from appropriate new developments and conversions. Improvements will be fairly

~~and reasonably related in scale and kind. The Council recognises that the provision of suitable public conveniences in appropriate locations throughout the City Centre is an important part of creating an attractive shopping environment. It will therefore seek to implement schemes as resources become available and negotiate them as part of major development proposals. In implementing schemes for the provision of all improvements, the Council will consult with the public and other stakeholders.~~

Central Area Transport Strategy

CC16 Transport

~~Planning permission will be granted for improvements associated with the Council's City Centre Integrated Transport Project: 'Connecting Derby', which includes:~~

- ~~a. Restriction of traffic on Albert Street, Victoria Street and the Wardwick;~~
- ~~b. A Transport Link to achieve bus priority measures into the City Centre between Bradshaw Way and Uttoxeter New Road;~~
- ~~c. A route for pedestrians and cyclists from Uttoxeter New Road to St Alkmund's Way across Friar Gate;~~
- ~~d. Improvements to King Street/ Duffield Road to facilitate bus priority measures;~~
- ~~e. Other measures in the City Centre to improve access for pedestrians, cycles and bus users;~~
- ~~f. Widening of the highway on Ford Street and Stafford Street, including their junctions with Friar Gate.~~

~~Planning permission will not be granted for development which would prejudice the implementation of the Council's City Centre Integrated Transport Project.~~

~~5.25 The transport system into and within the City Centre must be of a high standard if the vitality of Derby is to be maintained and developed. Government funding for the "Connecting Derby" Project has been agreed in principle and the improvements will be implemented in 3 phases up to 2006. This project, which is referred to in Policy T2, will include a combination of measures to achieve:~~

- ~~▪ A more direct route around the City Centre for all traffic~~
- ~~▪ An improved shopping environment~~
- ~~▪ Improved access for pedestrians, cyclists and public transport~~
- ~~▪ Improved road safety~~

~~5.26 The notation under Policy CC16 and T2a, on the Proposals Map, reflects the Council's best current understanding of the area of land that should reasonably be safeguarded for the Connecting Derby scheme. The area on the Proposals Map broadly indicates the area to be safeguarded and does not imply a final layout and design for the scheme. In respect of this, it is likely that adjustments will be needed to the area required for the scheme as further detailed design work is undertaken.~~

CC17 City Centre Servicing

Planning permission will be granted for development that would lead to improvements to rear servicing provision in the City Centre, provided that the development enhances or preserves the character and appearance of the Conservation Area and the setting of listed buildings.

5.27 Rear servicing is important for enabling deliveries to businesses and shops in the City Centre's core shopping area, particularly in the pedestrianised areas where front access is restricted during the day. It helps to maintain the vitality and viability of the shop units whilst creating a safe shopping environment, by separating the service and delivery vehicles from pedestrians. All rear servicing proposals should take into account the City Council's transportation and townscape improvement schemes in the City Centre.

CC18 Central Area Parking

Within the Central Area of the city, as defined on the Proposals Map, the City Council will only grant permission for development that makes appropriate provision for:

- a. Access to and egress from the development by pedestrians and cyclists;**
- b. Car, motorcycle and cycle parking, in accordance with the maximum parking standards set out in Appendix A;**
- c. Vehicle servicing and access arrangements.**

If the development is expected to generate a higher level of car usage than can be accommodated by the maximum parking standards, the applicant should submit a transport assessment when requested, which suggests measures to provide for other means of travel to the private car for the users of the development.

Planning permission for development will not be granted where the level of traffic generated by the development would result in significant road safety or traffic management implications, the impact of which cannot be mitigated by provision for means of travel other than the private car.

5.28 The parking standards within the Central Area allow for significantly lower off-street parking levels than the rest of the City because this area is very well served by public transport. Lower levels of parking provision will help further the City Council's objectives of improving air quality by reducing traffic congestion and encouraging people to use alternatives to the car for journeys into the City Centre. Improvements are planned to the public transport infrastructure, cycling routes and the pedestrian environment to complement this strategy. The lower parking standards in the Central Area are also in line with Regional Planning Guidance for the East Midlands which aims to achieve consistency in parking policy across the region. Transport Assessments will be required as appropriate to identify the potential impact of, and measures to alleviate impact of, development proposals. These should address measures identified in Policy T1, including the preparation and implementation of a Travel Plan.

CC19 — Public Car Parking

Within the Central Area, planning permission will not be granted for additional long stay car parking unless it is in association with major new development and justified through a Transport Assessment.

Planning permission for additional short stay parking will only be granted in the event that there is a shortfall in supply.

Planning permission will only be granted for temporary car parking on sites awaiting redevelopment provided that:

- a. — There is a demonstrable need for the car parking subject to review at least every two years;**
- b. — The car parking is within or immediately adjoining the Central Shopping Area defined on the Proposals Map;**
- c. — The design of the car park takes into account security needs, pedestrian safety, and landscaping where appropriate.**

In all cases, the operation and location of car parking should favour short stay visits and not encourage car borne commuting.

5.29 — Government guidance in PPG13 advises local authorities to refuse planning permission for public and private car parks which do not meet the strategic aims of the plan. Limiting the provision of parking is one of a number of measures being pursued by the City Council to tackle traffic congestion in the City Centre. It complements the Local Transport Plan's City Centre Integrated Transport Project which aims to improve the use of alternative modes of travel and discourages reliance on the car for work and other journeys into the City Centre. However, a balance has to be struck between this aim and the need to maintain the City Centre's viability for retailers and businesses. Sufficient short stay parking will, therefore, be permitted to meet the needs of shoppers. Currently there is not considered to be a shortage of short stay parking but the position will be kept continually under review. Major new development may give rise to a need for additional short stay parking, but will need to be fully justified through a Transport Assessment. The emphasis on short stay parking is intended to avoid encouraging additional commuter journeys.

~~5.30 The Derby City Centre Car Parking Study (November 2002) reviewed provision and need for car parking in the City Centre. The study confirms that any new provision will need to relate closely to future needs of both individual developments and the City Centre as a whole. The study, which has been approved by the Council, will form the basis of a future strategy. The exact number of parking spaces required and their location, will be kept under review as development proposals emerge. Long stay spaces will only be provided in association with development and where justified in terms of parking standards and through a Transport Assessment.~~

~~5.31 The study indicates a need for an additional 500 short stay spaces in the City Centre and identifies Becket Well as a suitable location. It is not certain how many spaces can be provided in association with development at Becket Well, so alternative sites may be needed. There may also be a need for short stay spaces to be provided in multi-storey form to replace sites seen as development opportunities by the Derby Cityscape Masterplan. The need for short stay parking provision will therefore be kept under review.~~

6. Housing

Introduction

- 6.1 The Local Plan Review aims to ensure that an adequate supply of housing land is available to meet Derby's needs as established through the Structure Plan. It seeks to achieve this within the overall context of promoting sustainable patterns of development; especially in terms of encouraging urban regeneration, mixed uses, higher densities and reducing the need to travel. The promotion of sustainable development through an urban renaissance means revitalising older urban areas, strengthening existing communities and creating sustainable new ones. Providing housing through new development, or by the conversion of existing buildings, or by bringing empty residential properties back into use, can make a major contribution to this goal. Housing schemes can also help to create a more diverse and vibrant City Centre, and achieve the regeneration of vacant and underused land within the urban area. Well designed housing will make urban living more attractive and improve social inclusion by guiding new investment into older areas.
- 6.2 An examination of urban capacity has been undertaken as preparation to the Local Plan Review. This has assessed the capacity of the City to accommodate housing development on previously developed land. It has played a key role in determining the sites which have been identified as part of the housing supply and in informing the windfall assumptions. The Council also maintains records of empty houses in the City and is seeking to bring them back into use through its Empty Homes Strategy.

Housing Land Provision

- 6.3 The Structure Plan requires land to be provided for 15,500 dwellings in Derby over the 20 year period between 1991 and 2011. However, many of these have already been built or have planning permission. The availability of housing land is monitored by the City Council and reports are produced annually. The most up-to-date information at the time of preparing this Local Plan relates to the period up to April 2004 and is set out as follows:

Table 6.1: Housing Land Supply Position

	Dwellings
Structure Plan Requirement 1991-2011	15,500
Sites Identified in the Local Plan Review (H1 – H10)	4,466
Dwellings Completed 1991-2004	9,984
Windfall Allowance on Large Sites (10 or more dwellings) 2004-2011	600
Windfall Allowance on Small Sites/Conversions (less than 10 dwellings) 2004-2011	476
Other Large Sites with Planning Permission at 2004 ¹	420
Losses 1991-2011	-169
DWELLING SUPPLY 1991-2011	15,777

1. Excludes 59 dwellings on Markeaton Street (constrained)

6.4 The 2004 housing land supply position is set out in the City Council's April 2004 Housing Land Availability Monitoring Report. This shows that at April 2004 there had been about 9,984 completions over the period 1991 – 2004 and there were sufficient large sites identified, either with planning permission or allocated in the Plan to accommodate about a further 4,886 dwellings.

6.5 In identifying housing sites, the Council has had regard to both Government advice in PPG 3 (Housing) and the broad strategy of the Structure Plan. An Urban Capacity Review has also been undertaken which has sought to assess the opportunities in the City for housing development on previously developed land. This has demonstrated that unlike some major cities, Derby does not have large areas of vacant or underused brownfield land suitable for housing re-development. There are, therefore, insufficient opportunities, either on identified brownfield sites or in the form of windfalls, to accommodate the full Structure Plan Requirement. As such, it has been necessary to allocate some new greenfield sites. The findings of the Urban Capacity Review have led to a brownfield target being set at 60% of new dwellings to be built on such sites by 2008. To assist in this target being met a Phasing mechanism is included and, in addition, a Brownfield Officer post has been established by the Council. The sites which have been included as allocations are where the Council believes there to be a realistic prospect of their development, and the Council will welcome discussions with interested parties to consider ways of bringing them forward.

6.6 Many of the proposed brownfield sites form part of regeneration schemes in the City Centre and major mixed use opportunities identified elsewhere. Detailed policies for these are set out in the City Centre and Regeneration Chapters, but are reflected in this chapter for completeness. However, the

Council believes that in order to meet housing needs, it is inevitable that some new greenfield land will need to be identified.

- 6.7 — Greenfield sites with planning permission, and other ‘commitments’, have been carried forward from the CDLP. Options for new greenfield allocations have been assessed in accordance with sustainability objectives and this assessment is included in the Sustainability Appraisal. The Council has also taken into account their likely impact on urban form and their potential for strengthening communities. It has also given considerable weight to protecting currently identified green wedges and sites of natural history importance.

Table 6.2: Local Plan Housing Allocations¹

Policy Reference	Location	Minimum Site Capacity	Expected Contribution 2004-2011	Indicative Affordable Dwelling Target ²
H1/CC8	Riverside — Derwent Street	225	150	30%
H1/CC14	Wellington Street	96	64	30%
H1*/R2	Friar Gate & Environs	500	300	30%
H1/R3	South of Slack Lane ³	100	100	30%
H1/R5	Baseball Ground	150	150	30%
H1*/R4	Kingsway Hospital	700	700	200 key worker
H2a	Uttoxeter New Road/Great Northern Road ₃	150	100	30%
H2b	Barlow St	60	60	30%
H2c	Rykneild Tean Mills ₃	100	108	28%
H2d	Agard Street	50	50	30%
H2e	Brook Street	90	90	30%
H2f	St Mary's School	20	20	0
H2g	Stenson Fields	35	35	30%
H2h	Crewton Allotments ³	227	130	0
H3a	Glossop Street, Osmaston Triangle	40	40	30%
H3b	Harvey Road, Alvaston ₃	37	38	100%
H4	University Campus	400	400	30%
H5*	West Chellaston ^{3,4}	700	254	9%
H6*	Highfields	120	120	23%

H7*	Heatherton ³	1,300	143	No more on site affordable to be provided
H8	West of Rolls Royce Training Centre ₃	108	94	15%
H9	Rykneld Road ₃	980	980	30%
H10*	West Chellaston	340	340	26%
Total			4,466	

1. Includes City Centre and Mixed use Regeneration Sites

2. The affordable dwelling target, unless otherwise indicated, relates to the total site capacity.

3. Sites with planning permission. The minimum site capacity reflects the full planning permission. Expected dwelling contribution represents the site capacity minus completions at April 2004. The indicative affordable dwelling target represents the number of affordable units agreed to be delivered on the site.

4. The greater than average subsidy on these units justified the number of affordable units that were provided on the site.

* Sites carried forward from the Adopted CDLP (Site capacities may be different)

Housing Sites

~~H1 City Centre & Mixed Use Regeneration Sites~~

~~Planning permission for housing will be granted on the following major mixed use regeneration opportunities and City Centre sites, which will contribute to meeting housing needs as indicated:~~

City Centre:	Minimum Site Capacity:	Expected Dwelling Contribution 2004-2011:	Indicative Affordable Dwelling Target:¹
Riverside	225	150	30%
Wellington Street	96	64	30%
Mixed Use Regeneration Opportunities:			
Former Friar Gate Station and Environs	500	300	30%
Land South Of Slack Lane	100	100	30%
Baseball Ground	150	150	30%
Kingsway/Manor Hospital	700	700	200 key worker

1. The indicative affordable dwelling target relates to the total site capacity. Where site delivery is expected to extend beyond the plan period, affordable dwellings will be proportioned accordingly.

~~6.8 The sites identified by this policy are covered in more detail in the Regeneration and City Centre Chapters, but are included here for completeness and to emphasise the importance of achieving residential development as part of major redevelopment schemes.~~

H2 Sites Within the Urban Area

The following sites are identified for residential development (C3):

Previously Developed Sites

- ~~a. Uttoxeter New Road/Great Northern Road – minimum of 150 dwellings on 0.9 hectares, including 100 dwellings to be delivered within the Plan period;~~
- b. Barlow Street - minimum of 60 dwellings on 0.6 hectares;
- ~~c. Rykneld Tean Mills – minimum of 100 dwellings on 0.4 hectares;~~
- ~~d. Agard Street – minimum of 50 dwellings on 0.3 hectares;~~
- ~~e. Brook Street – minimum of 90 dwellings on 0.6 hectares;~~
- ~~f. St Mary's School – minimum of 20 dwellings on 0.2 hectares;~~
- ~~g. Stenson Fields – minimum of 35 dwellings on 1.0 hectare.~~

Greenfield Site

- ~~h. Crewton Allotments – minimum of 227 dwellings on 8.8 hectares;~~

Applications to renew planning permissions, or to extend the time period in which the development is to be begun, will be reviewed against the availability and suitability of previously-developed sites. On sites under construction, the City Council will be guided by any agreement under S106 of the Act already made for the development of the site as a whole. Planning permission will not be granted which would lead to the permanent loss of these sites to other uses.

- 6.9 A number of the sites identified, including Crewton Allotments, have the benefit of planning permission and are included to illustrate they are part of the housing land supply over the plan period and to provide guidance should permissions need to be renewed. The rest of the sites are brownfield and their development will contribute to meeting sustainability objectives and help to improve the physical environment around them. The Council anticipates that the location and accessibility of these sites will enable relatively high densities to be achieved. Affordable Housing will be sought on these sites in accordance with Policy H11 ('Affordable Housing').

H3 Re-development Sites

The following sites are identified for residential development, public open space and community facilities:

- a. Glossop Street, Osmaston Triangle — minimum of 40 dwellings on 2.7 hectares;**
- b. Harvey Road, Allenton — minimum of 37 dwellings on 1.3 hectares.**

6.10 A Council Housing clearance scheme has been implemented in the Osmaston Triangle area. Local residents have been involved in a consultation exercise and a scheme which involves the development of about 40 dwellings and the creation of some public open space is proposed. On Harvey Road in Alvaston a number of cast iron framed dwellings were demolished several years ago. The Council is proposing to replace these with about 37 dwellings and community facilities. The demolished dwellings on both sites have already been taken into account in the Structure Plan Housing Projections.

H4 University Campus, Mickleover

13.1 hectares of land at the University Campus site off Western Road, Mickleover is identified for residential development and supporting facilities. A minimum of 400 dwellings will be delivered on this site. The scheme will incorporate satisfactory access arrangements, including new access points and roads where necessary.

The Council will seek to enter into an obligation under Section 106 of the 1990 Act to secure the following:

- a. The erection of affordable housing units on the land based on a figure of 30% of anticipated site capacity, subject to the application of the criteria set out in Policy H11;**

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- ~~b. The retention of the swimming pool facilities on the site;~~
- ~~c. The dedication, and laying out to the City Council's satisfaction, of the remaining part of the campus north of Bramble Brook as public open space, including the satisfactory replacement of any lost playing fields and other sports facilities;~~
- ~~d. A pedestrian-cycle link to the proposed cycleway-walkway along the brook and a contribution to implementing this scheme.~~

~~Any development scheme will be required to include noise attenuation measures in respect of the A38 and environmental protection zones along the A38 to retain the wildlife corridor and along the northern boundary of the site to protect the setting and nature conservation value of Bramble Brook. These zones will be provided in addition to normal public open space requirements.~~

~~6.11 The University of Derby is to close its Mickleover Campus. The part of the campus lying to the south of Bramble Brook comprises University buildings, car parking and sports facilities. The site relates well to the urban area and has good access to public services. The site should be developed to a minimum of 35 dwellings per hectare in accordance with Policy H13 (Residential Development – General Criteria). This suggests an overall capacity of 400 dwellings of which 120 would be affordable.~~

~~6.12 The identification of this site for housing has meant the loss of part of the green wedge as defined in the adopted City of Derby Local Plan. The loss of green wedge is, in this case, felt to be justified by the benefits to sustainable development and the need for housing. A viable green wedge between Mickleover and Mackworth can still be maintained without this area being included, and an increase in public access to new and existing public open space can be achieved.~~

~~6.13 The strong, physical feature of the brook provides a natural northern boundary for the site. The brook and its margins have important natural history value which should be respected by development proposals. To this end the Council will expect proposals to include a landscaped buffer along the site's northern boundary. As this is needed to protect a feature of acknowledged importance, the buffer should be in addition to the normal public open space requirements. However, a wider open area in this part of the site could be achieved by combining the buffer with public open space.~~

- ~~6.14 At present, there is only a single access into the site, from Uttoxeter Road via Western Road and Chevin Avenue. This will not be sufficient to serve the housing development proposed. Planning permission has been granted for a road into the site from a new junction at Western Road and Uttoxeter Road. The construction of this junction, the road into the site and associated alterations to the existing road network will be required to provide a satisfactory access in to the site to serve the proposed housing development.~~
- ~~6.15 The Council will require the replacement of any lost sports pitches and facilities in line with advice set out in PPG 17 (Planning for Open Space, Sport and Recreation). The provision of a multi-use games area would probably be the best way of ensuring no net loss of facilities. The area to the north of the brook, owned by the University, will become public open space. This will provide significant public benefits to compensate for the development of playing field land to the south. The Council will seek to negotiate the continued community use of the indoor pool or the erection of a replacement facility on the site. The link to the proposed cycleway-walkway along the brook will improve access to means of transport other than the car. In accordance with Policy L12 of this Plan, the Council will also seek to ensure that the existing scout facilities are replaced to at least their current standard. It will also give careful consideration to the siting of replacement facilities. —~~

~~H5 West Chellaston~~

~~The City Council will continue to identify 36.4 hectares of land west of Chellaston for residential development and supporting facilities. A minimum of 254 dwellings will be developed on the remaining part of this site. In considering any further applications for planning permission, the City Council will be guided by the agreement under S106 of the 1990 Act already made for the development of the site as a whole.~~

~~No vehicular access to the site will be allowed from roads other than the A514/Wilmore Road link and Parkway and no access will be allowed from Parkway alone.~~

- ~~6.16 This site has been carried forward from previous local plans and is expected to deliver a minimum of 700 dwellings of which 66 would be affordable. At April 2004, construction was well underway and it is anticipated that the site will be completed in the first part of the plan period. The Council has entered into an agreement with developers under Section 106 of the Planning Act and this forms the basis of their obligations for the site's development. Access arrangements have been agreed with developers as part of the~~

existing planning obligation and the required southern part of the road proposed under Policy T12 has already substantially been built.

H6 — Highfield, Broadway

The City Council will continue to identify 9.7 hectares of land at Highfield, Broadway for residential development, for which outline planning permission exists. A minimum of 120 dwellings will be delivered on the site. In considering any further applications for planning permission, the City Council will be guided by the agreement under Section 106 of the 1990 Act made for the development of the site as a whole.

Any development scheme will be required to include noise attenuation measures in respect of the A38 and to pay full regard to the environmental quality of the site, to features of nature conservation interest within it and to any views of development from outside the site, especially from the A38. A very low density of development will be required on land to the south of the access road leading to the Convent.

6.17 — This site has been carried forward from the City of Derby Local Plan and has now been granted outline planning permission. It is expected to deliver about 120 dwellings including 35 which would be affordable. The site capacity reflects the existence of a number of important environmental features which must be retained and this means that it will need to be developed at lower densities than usual. Development must pay special attention to the three woodland areas just outside the site. The Council will encourage developers to consolidate these areas with new planting within the site itself. The proximity of part of the site to the A38 also calls for careful treatment in terms of noise and visual intrusion. The Council has produced a development brief for the site.

~~H7 — Heatherton, Littleover~~

~~The City Council will continue to identify 67 hectares of land at Heatherton for residential development and supporting facilities. A minimum of 143 dwellings will be developed on the remaining parts of this site. In considering any further applications for planning permission, the City Council will be guided by the agreement under S106 of the 1990 Act already made for the development of Heatherton as a whole. Should an additional planning obligation be necessary, the City Council will seek to negotiate additional measures to encourage alternative forms of transport to the car.~~

- ~~6.18 — Located to the south of Littleover, this new residential community comprising about 1,300 dwellings has been under construction for several years. At April 2004 some 143 dwellings remained to be built. This policy aims to give continued planning guidance for completion of the site, although in practice development is likely to proceed in accordance with existing planning permissions and agreements.~~

~~H8 — Land to the West of Former Rolls Royce Training Centre, Station Road, Mickleover~~

~~3.1 hectares of land to the west of the former Rolls Royce Training Centre is identified for residential development and supporting facilities. A minimum of 108 dwellings will be delivered on the site. The site will be developed in a manner that does not prejudice future development of land to the west. Developers will be required to undertake a Transport Assessment for the site. This will include assessment of necessary measures to encourage alternative modes of transport to the car, improvements to the surrounding road network to facilitate these and any necessary road improvements. The option to provide links between the site and the Mickleover/Mackworth express busway currently being investigated will be safeguarded.~~

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~~The Council will seek to enter into an obligation under Section 106 of the 1990 Act to provide or undertake the following:~~

- ~~a. The erection of 30 affordable housing units on the land;~~
- ~~b. Contributions to education and community facilities;~~
- ~~c. A Quality Bus Partnership strategy and other necessary transport measures;~~
- ~~d. High quality pedestrian and cycle routes within the site and links between these and existing or proposed routes beyond the site.~~

~~6.19 Planning permission for 108 dwellings has been granted on this site and at April 2004 construction had commenced. The site should be developed to a minimum density of 35 dwellings per hectare in accordance with Policy H13 (Residential Development – General Criteria)). The form of development should pay full attention to the aim of encouraging alternative forms of transport to cars. It should safeguard the option to provide links between the site and the express busway.~~

~~Greenfield Allocations Subject to Phasing~~

~~H9 Rykneld Road, Littleover~~

~~33.3 hectares of land on both sides of Rykneld Road is identified for residential development and supporting facilities. Development will be carried out in a comprehensive manner at a minimum average density of 35 dwellings per hectare. The site is expected to deliver in the region of 980 dwellings. The land release will be managed to ensure a reasonably even pattern and speed of development, to co-ordinate with infrastructure provision and to avoid undermining the delivery of housing on previously developed sites elsewhere in the City.~~

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Development proposals shall also provide for:

- a. A 2.4 hectare site for B1 business uses on land adjacent to the Heatherton Neighbourhood Centre;**
- b. The expansion of the Heatherton Neighbourhood Centre to provide extended shopping/service/ community facilities;**
- c. A 1.4 hectare site for a primary school;**
- d. Measures to encourage alternative forms of transport to the car arising from a Transport Assessment for the site as a whole;**
- e. High quality pedestrian and cycle routes within the site and links between these and existing or proposed routes beyond the site;**
- f. The provision of two access points to each part of the site and any directly related road and junction improvements;**
- g. Attenuation measures for noise generated by vehicles on the A38;**

The Council will seek to enter into an obligation under Section 106 of the 1990 Act to provide or undertake the following:

- 1. The erection of affordable housing units on the land based on a figure of 30% of anticipated site capacity, subject to the application of the criteria set out in Policy H11;**
- 2. A one and a half form entry primary school;**
- 3. A 'Quality Bus Partnership' strategy and other necessary transport measures'.**

6.20 Whilst the Plan places a strong emphasis on the development of previously-developed land, some new greenfield sites are needed. This site provides the opportunity to consolidate the existing residential community at Heatherton with a view to enhancing the scale and nature of the Neighbourhood Centre, improving the provision of bus services and creating local employment opportunities. The Council will therefore expect proposals to include provision for enhancing the Neighbourhood Centre, including provision for approximately 1000 m² of additional convenience shopping floorspace. This will be well related to the existing Heatherton

~~Neighbourhood Centre. More floorspace may be acceptable if this can be justified in terms of Policy S2. The result will be a more sustainable community. The Council has given significant weight to these factors in its comparative assessment of potential greenfield sites and in its decision to choose this site ahead of others.~~

~~6.21 The 2 parcels of land which comprise Site H9 can be developed independently or in tandem in accordance with a planning brief for the site as a whole, which will be prepared by the landowners/developers and the City Council. This will be subject to public consultation. Further work is required to determine the most appropriate location for the new primary school. The location shown on the Proposals Map is notional. The precise siting will be determined through the planning brief. The Council will consider major public open space being provided off-site as either a contribution towards the City Park on Moorway Lane or towards the Neighbourhood Park to the north of Allan Avenue.~~

~~6.22 A Transport Assessment is needed to properly consider the transport implications of the scheme and identify any necessary measures. This will include the consideration of noise attenuation measures in respect of the A38 which is likely to require discussion with South Derbyshire District Council regarding landscape treatment. Preliminary transport studies also suggest that each side of the road will require two separate access points. The assessment should ensure that development pays full attention to the aim of encouraging alternative forms of transport to cars. It should include provision for a Quality Bus Partnership strategy and layouts that give priority to encouraging people to walk and cycle rather than drive. The release of the site will be regulated, as far as is practicable, to ensure that it does not inhibit the development of previously developed land'.~~

~~6.23 The Council will prepare a Supplementary Planning Document for this site to provide additional detail and guidance.~~

H10 — West Chellaston

~~11.0 hectares of land between Chellaston and the line of the disused railway is identified for residential development. Completions will be limited to 150 dwellings per annum to achieve a minimum of 340 dwellings.~~

~~Developers will be required to undertake a Transport Assessment for the site. This will include assessment of measures to encourage alternative forms of transport to the car and improvements to the surrounding road network to facilitate these.~~

~~The Council will seek to enter into an obligation under Section 106 of the 1990 Act to provide or undertake the following:~~

- ~~a. — The erection of 90 affordable housing units on the land;~~
- ~~b. — High quality pedestrian and cycle routes within the site and links between these and existing or proposed routes beyond the site;~~
- ~~c. — A contribution towards education provision.~~

~~No access to the site will be allowed from roads other than the A514/Wilmore Road link and Parkway and no access will be allowed from Parkway alone.~~

~~6.24 — This site is carried forward from the CDLP where it formed part of housing proposal H2. Land to the west, which formed part of the same site in the CDLP, is currently under construction. The site has been granted outline planning permission subject to a S106 Agreement under the 1990 Act. It should be developed to a minimum density of 35 dwellings per hectare in accordance with Policy H13 (Residential Development — General Criteria). This suggests a net capacity of 340 dwellings of which 90 would be affordable. The Transport Assessment is intended to ensure that necessary highway improvements are carried out and to identify measures to encourage people to use alternative forms of transport to the car. Similarly, layouts should be designed to encourage people to walk and cycle rather than use their car.~~

~~6.25 — As is the case with the land to the west, the access is to be taken from the new link road or Parkway to reduce traffic impact on surrounding roads. The City Council will seek to negotiate a contribution to education provision to cater for the additional educational needs generated by this development.~~

General Policies

H11 Affordable Housing

The City Council will seek the provision of affordable housing within residential developments on sites of 1.0 hectares or more or those providing at least 25 dwellings. The following considerations will be material:-

- a. evidence of local need for affordable housing;**
- b. site size, suitability and the economics of provision;**
- c. the need to achieve a successful housing development;**
- d. the presence of competing planning objectives.**

The affordability of housing will be required to be guaranteed by secure arrangements which ensure that initial and successive occupiers benefit from its affordability.

Where, exceptionally, on-site provision is not practical or desirable, off-site provision will be preferable to commuted payments.

~~6.26 PPG3 ('Housing') indicates that a need for affordable housing is a legitimate material planning consideration and that planning authorities may reasonably seek to negotiate for the provision of an element of affordable housing within substantial developments.~~

~~6.27 The Derby City Council Housing Strategy 2003-2006 provides the context for the delivery of affordable housing in Derby. This has been informed by the Housing Needs and Market Study which has provided a wide range of information on housing patterns, need, supply and affordability in Derby on an area basis. Analysis of the findings from this study indicate that the need for new affordable accommodation is at least 397 additional units a year in the 5 year period 2001-2006. With about 6,700 dwellings to be built/converted in the City over the period covered by the Local Plan Review a realistic approach to the number of new affordable homes that can be secured through the planning system has had to be taken. Hence a target figure of 1,400 homes over the period 2004-2011 to be met by seeking 20%-30% affordable housing on sites without a specific target. The policy applies~~

~~to new build and the conversion or redevelopment of existing residential or non-residential buildings. The sub-division of a site or buildings will not provide exemption from the need to comply with the policy~~

~~6.28 In accordance with Circular 06/98, Policy H11 contains four criteria to guide negotiation for the provision of affordable housing on sites without a specific target. Local need will be a key element in considering the appropriate proportion of affordable housing. This can be established through the Housing Needs and Market Study and the annual Housing Strategy. The Council will also take account of site characteristics, the nature of specific proposals and any abnormal development costs that may influence the ability of proposals to deliver affordable housing. Criterion c, regarding the need to achieve a successful housing development, is intended, where possible, to encourage a mix of affordable housing types and to ensure the successful implementation and management of affordable housing. Finally, the presence of competing planning objectives provides flexibility for the consideration of matters other than affordable housing. These four criteria provide an appropriate framework for a realistic and balanced assessment of affordable housing provision.~~

~~6.29 The following definitions apply:~~

~~‘Affordable housing’ is considered to be housing which is affordable to those householders who cannot either rent or purchase housing on the open market. It is defined as rented accommodation as well as low cost and subsidised housing. Implicit in this definition is the element of subsidy to make such housing accessible to these households. In negotiating such affordable housing the City Council will seek to ensure that the rent or purchase price of such housing upon completion is below that of the cheapest market housing in reasonable supply in the local housing market area.~~

~~6.30 ‘Low cost market housing’ is market priced housing at the bottom end of the price range, typically designed for first time buyers. Such housing can be reasonably considered affordable if developers can build accommodation of similar size and quality to that of registered social landlords without compromising space and construction standards. It should then be priced below existing base market prices as indicated in the Housing Needs and Market Study and/or prevailing at the time of development. The affordability of such housing will be required to be guaranteed by secure arrangements which ensure that all successive as well as initial occupiers benefit from its affordable status.~~

~~6.31 The Housing Needs and Market Study demonstrates that affordable rented homes are the most suitable tenure to meet the identified housing need in Derby. The HNMS showed that 79.3 % of households needs can only be met through affordable rented housing due to dependency on benefits and low income. 41.2% of these households are solely reliant on means tested benefits, and the remaining 38.1% were on a low income of less than~~

~~£15,000 per year. These households would be unable to meet their housing need by the purchase of market or low cost properties. As such, Registered Social Landlords are likely to be one of the main delivery agencies of affordable housing in the City.~~

- ~~6.32 In exceptional circumstances off-site provision may be acceptable. In such circumstances the level of off-site provision will be expected to enhance the level of housing need that would have been met on-site. The Council and the developer may also agree that on certain sites it is preferable that a financial or other contribution (such as land or buildings) should be offered towards the provision of affordable housing on a different site. The contribution will normally be secured by a planning obligation.~~
- ~~6.33 Potential developers should contact the Corporate Director Resources at an early stage to discuss in detail the particular forms of affordable housing that would be appropriate on individual sites to meet identified housing needs. The precise scale and nature of affordable housing, along with other planning considerations, will in each case be a matter for negotiation between the developers and the Council.~~
- ~~6.34 The Council believes that affordable housing schemes should be well integrated within overall housing developments, in terms of siting, design, layout and materials, as this will assist in the longer term sustainability of the development and will help towards meeting the Council's social inclusion objectives. To this end, the Council will seek to ensure that, especially on larger sites, affordable housing is provided throughout the site rather than in a single large grouping. It will also seek to ensure that the size and mix of house types closely reflects housing needs within the local area.~~
- ~~6.35 Supplementary Planning Guidance has been prepared which sets out details of the Policy to require developers to provide a proportion of affordable housing on suitable sites.~~

~~H12 Lifetime Homes~~

~~On housing sites of 40 dwellings or more the City Council will seek to negotiate the provision of a proportion of lifetime homes based on a guideline target of 10% of overall site capacity. The precise proportion will be determined by reference to the following criteria:~~

- ~~a. Housing needs within the local area;~~**
- ~~b. Accessibility to local shops and services;~~**
- ~~c. Accessibility to local public transport services.~~**

- ~~6.36 The City Council aims to provide a more inclusive and accessible environment for everyone, including disabled people. Many issues concerning access are now covered by the Building Regulations and the Local Plan Review does not seek to duplicate these provisions. However, in the Council's view, the revised Building Regulations do not adequately address the concept of lifetime homes.~~
- ~~6.37 A lifetime home is defined as a dwelling which is designed with built-in flexibility that makes it easy to adapt to suit peoples changing life circumstances from families with young children through to frail older people and those with temporary or permanent disabilities.~~
- ~~6.38 The design features necessary to achieve a lifetime home will be set out in a Supplementary Planning Document (SPD) which will be prepared in due course by the Council. These design features do not necessarily involve a major increase in space standards and so do not need to generate significant additional costs.~~
- ~~6.39 The Housing Needs and Market Study, undertaken in 2001, identified that some 15% of Derby's households contain a member with special needs. Special need households include those where frail elderly, people with impaired sight/hearing and vulnerable young people live. However, 'physically disabled' people represent 46.5% of all special needs households within the City, equating to 8,530 of households or 8.6% of all households. The City Council will, therefore, normally use a guideline of 10% as the proportion of new housing which it desires to see developed to lifetime home standards. As a small proportion of disabled people cannot make short moves without wheelchairs, the Council will encourage developers to provide housing that can be adapted for wheelchair use throughout.~~
- ~~6.40 On large sites of 40 or more dwellings or at least 1.5 hectares, the Council seek to negotiate the provision of lifetime homes through S106 Agreements. On smaller sites where a S106 Obligation is not otherwise required, the Council will rely on informal agreements to secure such provision'.~~

H13 Residential Development – General Criteria

Planning permission for residential development (C1, C2, C3 and hostels) will only be granted provided the following objectives are met:

- a. A satisfactory form of development and relationship to nearby properties can be created, including there being no adverse effects caused by ‘backland’ or ‘tandem’ proposals;**
- b. A minimum average density of 35 dwellings per hectare on all developments, unless there are clear environmental reasons for a lower density. The Council will seek higher densities on sites which are closely related to the City Centre, the railway station and to public transport interchanges;**
- c. Urban forms, building designs and layouts to facilitate higher densities and energy efficiency;**
- d. A high quality living environment and a layout of buildings and open spaces that creates an interesting townscape and urban form;**
- e. Good standards of privacy and security.**

In determining planning applications for residential development on windfall sites, priority will be given to suitable previously developed sites within the urban area. Planning permission will not be given for development that would prominently intrude into the countryside.

- 6.41 Higher residential densities and more energy efficient forms of layout and building design are central components of sustainable development and urban renewal. This does not mean cramming dwellings onto sites in ways that produce unattractive living environments. A reappraisal is needed of how residential areas should look and how they should work. The Council believes that this can be achieved through the careful choice of building styles, layout of buildings, provision of transport routes and the relationship of these to public and private open space. Locations with good access to public transport offer particular opportunities for achieving higher densities and giving less priority to car users. They may provide suitable sites for forms of ‘car-free’ development.

- 6.42 The Council will continue to expect good standards of privacy and security in order to ensure that attractive and safe living environments are created. However, it would not be appropriate to apply rigid standards as a degree of flexibility is needed to achieve the Plan's objectives.
- 6.43 The criteria set out in this policy will be applied in assessing applications for 'windfall' as well as the sites identified for residential development in this plan. The contribution of windfall sites to the overall housing supply will need to be monitored carefully to ensure that the total number of dwellings proposed City-wide remains generally in line with the Structure Plan requirement. In assessing the impact of proposals on existing levels of amenity and the local environment, particular attention will be paid to the value of open land for the local community, including any informal recreational usage.

H14 Re-use of Underused Buildings

The City Council will support the re-use of underused buildings, throughout the City, for residential purposes including proposals for:

- a. Intensifying existing residential uses;**
- b. Converting redundant buildings, including large commercial buildings;**
- c. Use of vacant and underused floorspace above commercial premises.**

In all cases, planning permission will only be granted provided that the scale and intensity of the use is sufficiently similar to the surrounding area so that it would not detract from its general character or amenity.

- 6.44 There is a general need to maximise the use and diversity of the housing stock. There is an increasing demand for smaller one and two person dwelling units which conversions can help to satisfy. Conversions and changes of use to flatted accommodation often achieve full use of buildings that would otherwise remain vacant or underused and are encouraged. It is important, however, to ensure that proposals for conversion and changes of use are consistent with the Council's private sector housing policies regarding Houses in Multiple Occupation (HIMOS) and the approach to these being pursued in particular parts of the City. Advice will therefore be sought from the relevant housing officers regarding any proposals to create additional HIMOS.

- 6.45 The reuse of vacant or underused floorspace above shops or other commercial buildings is particularly encouraged. The preferred solution is the development of self-contained residential accommodation with a separate means of access. This helps diversify the housing stock and increases choice for smaller households. Also the presence of dwellings in shopping areas provides a degree of security and adds to the vitality of the area when the shops are closed at night.

H15 — Sites for Gypsies and Travellers

Proposals for Gypsy and Irish Traveller caravan sites will be permitted where:

- a. The development would not cause unacceptable harm to the living environment of residential properties, or the working environment of business uses;**
- b. The location provides satisfactory living conditions for occupants of the site;**
- c. The development would not cause unacceptable harm to the appearance of the area.**

On sensitive areas of open land, such as green belt, green wedges and sites of importance for nature conservation, permission will not be granted.

- 6.46 National Planning Guidance advises that local authorities should aim to secure appropriate provision of sites for Gypsies and Travellers whilst protecting the interests of the community as a whole. Although the number of Gypsy and Travellers' caravans within the City at any point in time is small, it is important the Local Plan provides a context within which planning applications for sites for Gypsy and Travellers can be considered. The policy indicates criteria which will be assessed in determining planning applications for such sites. Other plan-wide and site specific policies may be applicable to particular proposals.

H16 Housing Extensions

Planning Permission will be granted for extensions to residential properties provided that:

- a. There is no significant adverse effect on nearby properties in terms of height, mass, overshadowing, proximity, or loss of privacy;**
- b. There is no significant adverse effect on the character and appearance of the dwelling or the streetscene in terms of design, massing, visual prominence, use of materials or proportions;**
- c. Any changes to the scale and appearance of the dwelling are in character with the surrounding area;**
- d. The first floor of a two-storey side extension is set back to avoid a terraced or cramped effect in the streetscene;**
- e. A satisfactory living environment is created; and**
- f. Adequate off-street car parking provision is maintained in terms of Policy T4.**

- 6.47 It is important that extensions to existing dwellings do not detract from the character and appearance of residential areas or from the amenity of people living nearby. Guidelines for extending residential properties are set out in the City Council's publication Design Note 1 (House Alterations and Extensions).

7. Economic Prosperity

Introduction

- 7.1 The Council aims to create a prosperous, successful and vibrant economy in Derby. The Local Plan Review seeks to contribute to this objective by identifying sufficient land to meet Structure Plan requirements in the right places to meet the needs of the local economy and wider social objectives. A key theme is regeneration and this Chapter includes policies for some of the priority areas identified in the Regeneration Chapter, including Pride Park and Raynesway / Acordis. Major employment opportunities to the south of Sinfen, and on the Wyvern to the south of Chaddesden, are carried forward from the CDLP. In some cases, the new policies have been refined to give clearer guidance as to the preferred form of development.
- 7.2 Sites put forward for development have been chosen to provide opportunities to meet the wide range of needs of Derby's economy. This includes meeting the needs of the aerospace, railway engineering and information technology sectors which have been identified by Regional bodies as potential growth sectors over the next few years. Some sites are protected for more specific employment uses where they offer rare qualities of location and environment. This Chapter also includes policies to guide and promote tourism as an important part of Derby's overall economic development strategy.

Employment Land Provision

- 7.3 The Derby and Derbyshire Joint Structure Plan requires the provision of 315 hectares of business and industrial land within the B1, B2 and B8 Use Classes in Derby over the period 1991-2011. 78 hectares of this has already been built leaving a requirement to identify a further 237 hectares. The Local Plan identifies around 272 hectares of available land, including contributions from land identified in the City Centre and Regeneration Chapters. However, not all of this land will contribute to the Structure Plan requirement. Some of it was still in operational use as business or industrial land at March 1991, and its redevelopment will only replace that lost since the start of the Structure Plan period. To include it as land contributing to the Structure Plan would be 'double counting', although it is important that the Local Plan sets out clear policies for its redevelopment. Some 12 hectares of land identified in the Local Plan falls into this category.

7.4 The table below sets out details of the employment land provision in the Plan. Given the mixed use nature of some of the sites it is possible that some of this land may come forward for uses outside the B1, B2 and B8 Use Classes and thus the total employment land supply may eventually be lower than that shown. In addition, it is possible that some of these sites may contribute more than we have estimated. Consistent annual monitoring of the employment land supply will clarify this position over time.

Table 7.1: Structure Plan Requirements

Policy	Location	Total Allocated Site Area (ha)	Area Remaining Contributing (ha) [†]	Area Remaining Not- Contributing (ha) [†]
CDLP Review Allocations				
EP1*	Chellaston Business Park – Wilmore Road, Sinfen	86.8	86.8	
EP2*	Raynesway / Acordis land, Spondon	64.7	64.7	
EP3 ^{†*}	Pride Park	13.28	10.56	2.71
EP4*	West Raynesway	10.5	1.6	8.9
EP5*	Bombardier land	14.9	10.93	
EP6*	Chaddesden Sidings, West	9.6	6.6	
EP7*	Chaddesden Sidings, South	28	28	
EP8a*	Chaddesden Sidings, East	5.5	2.75	
EP8b	Land south of Chellaston	3	3	
H13*	Rykneld Road, Littleover	2.4	2.4	
EP9a	Harvey Road	0.6	0.6	
EP9b*	Osmaston Park Road	5.3	5.3	
EP9c*	Station Road, Spondon	3.3	0.52	
EP9d*	Nottingham Road, Spondon	3.31	2.36	
EP9e*	Wilmore Road, Sinfen	2.6	2.6	
EP9f*	Station Road, Spondon	2.1	2.1	
EP9g*	Nottingham Road, Spondon	2	2	
EP9j*	Mansfield Road	0.6	0.42	
EP9k	Alfreton Road	0.6	0.6	
EP9n	Alfreton Road	4.2	4.2	
Sub Total		263.29	237.86	11.61
Regeneration and 'Other' Contributing Sites²				
R4*	Kingsway Hospital	38	6.9	
CC	City Centre Chapter	All Sites	2	
Sub Total		38	8.9	
Other unallocated sites with planning permission				
Sub Total – All sites		1.88	1.88	
Contributing land developed between 1991-2004 and under construction at April 2004				
Sub Total		78.55	78.55	
Totals		383.29	327.19	

1. Land remaining at April 2004
 2. Areas given represent potential contribution to employment land supply
- * Sites carried forward from the Adopted CDLP.

Summary

Structure Plan Requirements 1991-2011	315 hectares
Allocated Sites — Land Remaining	237.86 hectares
Contributions from other sites	8.9 hectares
Land Developed between 1991-2004 or under construction at April 2004	78.55 hectares
Other unallocated sites with planning permission (contributing)	1.88 hectares
Allocated land not contributing to the Structure Plan	11.61 hectares
TOTAL LAND IDENTIFIED	338.8 hectares

Proposed Development Sites

~~EP1 Land South of Wilmore Road, Sinfin-Chellaston Business Park~~

~~86.8 hectares south of Wilmore Road is identified as an area for prestige manufacturing, research and associated development. The City Council will permit only proposals which exhibit a high overall standard of design and landscaping.~~

~~Planning permission will be granted for the following:~~

~~**EP1a: 55.4 hectares for a mix of Business (B1) (major office development unrelated to existing activities will be subject to Policy EP10), General Industrial Uses (B2) and Storage and Distribution Uses (B8);**~~

~~**EP1b: 14.9 hectares for Business (B1) (major office development unrelated to existing activities will be subject to Policy EP10) only;**~~

Continued from page 7.3

EP1c: 16.5 hectares for Business (B1) (major office development unrelated to existing activities will be subject to Policy EP10) and General Industrial Uses (B2).

No more than 16 hectares shall be developed until a satisfactory road link has been developed between the A50 / A514 and Wilmore Road on the route safeguarded by Policy T12.

On areas affected by noise from Rolls-Royce test beds, planning permission will only be granted subject to Policy E14.

Developers of the site will be required to:

1. Contribute to the costs of providing the A514 / A50 Wilmore Road link;

2. Provide for the environmental measures set out below:

EP1(1): The provision of an environmental protection zone along Sinfin Moor stream and, either side of Sinfin Moor Lane, to include a cycleway-walkway and a bridleway;

EP1(2): The provision of a buffer protection zone to include a walkway;

EP1(3): The provision of a wildlife site and walkway;

EP1(4): Structural planting along the site's western boundaries; and

EP1(5): Extensions to Moor Plantation.

3. Provide 1.2 hectares on the western boundary as an open space extension to Sinfin Moor Park

7.5 The majority of this site was identified as a 'Class B' Strategic High Quality Employment Site (SQHES) by a consultant's study carried out for the East Midlands Regional Development Agency (emda) and the East Midlands Regional Local Government Association (EMRLGA). This was due to its high quality environment, access and potential demand from prestigious occupiers. Another study commissioned by the EMRLGA into the Quality of Employment Land in the Region (QUELS) also identified this as a 'high quality' site, particularly in terms of market demand. The City Council wishes to see a high quality scheme, supporting a cluster of hi-tech manufacturing and research businesses, particularly those in the aerospace industry. The

uses permitted are intended to meet this objective and to reflect its status as an SQHES.

- 7.6 — ~~In line with PPS6 and Regional Guidance the Council would wish to see proposals for free-standing major office development (i.e. over 2,500sqm) conform to the sequential approach outlined in Policy EP10. This is in order to promote more sustainable patterns of development and travel while trying to promote more central areas, particularly the City Centre, for major office development. Storage and distribution uses (Use Class B8) will be permitted in EP1a only. In view of the typical scale of warehouse units and their likely impact on the countryside, B8 uses will not be permitted in plots EP1b or EP1c.~~
- 7.7 — ~~Land on the western side of the site, included within EP1 (b) is suitable for B1 uses only in order to protect residential amenity of nearby properties. Outside of this zone, land to the south of Sinfin Moor Lane (EP 1 (c)) is suitable for both B1 and B2 uses. However, throughout the whole site, the impact of development on residential amenity and the appearance of the countryside will be a material consideration.~~
- 7.8 — ~~EP1(1)-EP1(5) identifies the areas in which environmental protection measures will be required. Planning policies for the site aim to retain the existing high quality of the environment and lessen any impact on residential areas beyond the Green Wedge and open countryside to the south. A small part of the north-eastern corner of the site may be affected by noise from Rolls Royce test bed operations and use of land may be restricted. Policy E14 sets out guidance on this issue. Developers will be required to identify arrangements to attenuate surface water discharge and avoid flood risk. Such measures may involve improvements to the Cuttle Brook in association with other measures, including making maximum provision for Sustainable Drainage Systems (SuDS) to prevent the instantaneous discharge of surface water into the Cuttle Brook.~~
- 7.9 — ~~A traffic study carried out for the Adopted CDLP indicated that full development of the site would require a new access road (Policy T12). This will help avoid unacceptable congestion on existing routes and greatly improve the site's attractiveness by developing a direct link to the national road network. Part of this road has already been developed to the south of Chellaston. Until the remainder of the road is complete, no more than 16 hectares of the site can be developed.~~

EP2 — Raynesway / Former Acordis Land, Spondon

64.7 hectares of land are identified as a major regeneration opportunity for new business and industrial development. The precise area available for development will depend on the outcome of hydraulic modelling to determine the extent of the floodplain and any additional flood protection measures. Planning permission will be granted for:

EP2a: — Up to 60.3 hectares for Business Uses (B1) (major office development will be subject to Policy EP10), General Industrial Uses (B2) and Storage and Distribution Uses (B8); and

EP2b: — 4.4 hectares for Business Uses (B1) (major office development will be subject to EP10), General Industrial Uses (B2), Storage and Distribution Uses (B8) and trade and showroom type sales.

Access to the site will be from the south, from the junction of Raynesway and the Alvaston Bypass. An access from the north will only be permitted if the impacts of a Transport Assessment are found to be satisfactory; otherwise the construction of a bridge across the River Derwent will be required.

A landscaped buffer protection zone will be required on each side of the River Derwent.

7.10 — This site offers substantial opportunities for regeneration and economic development. The site is in a flood risk area and hydraulic modelling is needed to determine the full extent of the floodplain and to clarify the actual area appropriate for development. Developers are advised to liaise with the Environment Agency and the City Council regarding the provision of flood protection measures.

7.11 — The main access will be provided from the junction of the Alvaston Bypass and Raynesway. Access from the north will only be permitted if detailed assessment demonstrates no adverse effects on the transport network. Otherwise a link bridge over the River Derwent will be required to connect the two parts of the site (Policy T11). Good quality cycle and pedestrian links into, out of and within the site will be required.

- ~~7.12 The land to the north of the river is one of the City's best resources for less intensive uses and heavier industrial operators due to its industrial setting and distance from residential areas.~~
- ~~7.13 The Council will seek to ensure that the site is developed comprehensively and that development on one part of the site does not prejudice development on the remainder.~~
- ~~7.14 The environment alongside the river is of higher quality than the remainder of the site and a landscape buffer will be required to protect and enhance the biodiversity, visual, and recreational use of the river banks. Nearby features of nature conservation importance should also be safeguarded in accordance with other relevant policies in the Plan.~~

EP3 Pride Park

The City Council will continue to identify Pride Park as a major regeneration opportunity. Planning permission will be granted for in different parts of the site as follows:

- ~~EP3a: The extension of existing uses and new; business, industry and storage and distribution uses (B1, B2 and B8).~~**
- ~~EP3b: Business uses (B1), indoor leisure uses (D2), non-residential institutions (D1), residential institutions (C2) and hotels (C1). Development will be required to achieve a high standard of urban form and take full account of existing listed buildings on the site. Within these buildings, planning permission will be granted for conversion to the above uses and residential (C3) and food and drink uses (A3, A4 and A5). Land east of Derby Midland Railway Station, adjoining the Clock Tower, will include provision for a 'civic square'.~~**
- EP3c: The expansion of Pride Park Stadium, and other development associated with, and ancillary to, Derby County Football Club, subject to the satisfactory resolution of traffic or transportation issues.**

- 7.15 Pride Park is the most significant mixed use redevelopment and regeneration opportunity in the City. It is an extremely sustainable location for development, owing to the three main road links that have been developed into the site, its proximity to the train station (augmented**

by a purpose built pedestrian link) and a park and ride scheme operating from Pride Park stadium.

- 7.16 EP3a covers the majority of Pride Park. A large amount of development has taken place for a variety of uses. The majority of the land still available for development is adjacent to the recently opened Wilmorton Link. This land is particularly well suited for business and industrial uses. There is still scope for the consolidation and expansion of existing uses on the site.
- 7.17 EP3b contains listed buildings that are important to Derby's industrial heritage. The uses allowed should not harm these buildings or their setting. The 'Civic Square' is intended to form a gateway to Pride Park and will be linked to the pedestrian footbridge. Its design will pay particular attention to its relationship to the nearby buildings. Proposals for other development will also need to be sensitive to the character of this area.
- 7.18 The area within EP3c has been developed mainly by Derby County Football Club. The Club and stadium have become a very important tourist and conferencing attraction for the City. Expansion of the club's current facilities within this area would be of benefit to both the club and the City.

EP4 West Raynesway

10.5 hectares west of Raynesway is identified as an opportunity for business (B1) (major office development will be subject to Policy EP10); industrial storage and distribution uses (B2 and B8); and trade and showroom type sales.

In addition, planning permission will be granted for a hotel (C1) and food and drink uses (A3) provided that the proposals are located near to the proposed Raynesway / Alvaston Bypass Junction to the east of the site.

- 7.19 Detailed land requirements for the Alvaston Bypass extension have yet to be determined. Part of the site has outline planning permission and could be developed independently of the road scheme. However, the timing of the road proposals may constrain development on the remainder of the site. Developers will need to consult with the City Council at an early stage to discuss the highways implications of any proposals. The Council will prepare a planning brief to provide further guidance on how this site can be bought forward.

- 7.20 In line with the Plan's environmental policies, any development should be sympathetic to the adjoining green wedge containing Alvaston Park and the River Derwent, which itself is identified as a site of local importance for nature conservation (Policy E4). Developers are also advised to contact the Environment Agency at an early stage to discuss access for river maintenance and flood protection measures.

~~EP5~~ Bombardier

~~14.9 hectares of land lying between Osmaston Road and London Road are identified as a major regeneration opportunity. Planning permission will be granted for business (B1) (major office development will be subject to Policy EP10) and industrial and storage and distribution uses (B2 and B8), provided that no uses within the B2 and B8 occupy land which fronts on to London Road or Osmaston Road, or which adjoins the curtilage of dwellings on Ellesmere Avenue.~~

~~Planning permission will also be granted for the following uses, subject to the criteria set out below:~~

- ~~a. Food and drink uses (A3, A4 & A5)~~
- ~~b. Hotels (C1) and hostels;~~
- ~~c. Residential Institutions (C2);~~
- ~~d. Non-Residential Institutions (D1);~~
- ~~e. Assembly and Leisure Uses (D2); and~~
- ~~f. Trade and showroom type sales~~

~~These uses shall occupy no more than 1 hectare along the frontage of London Road and 1 hectare along then frontage of Osmaston Road. Proposals for uses other than business, industrial and storage and distribution uses (B1, B2 and B8) not on these frontages will only be permitted provided they would not prejudice future business and industrial development in the area and should not cumulatively exceed a total of 2 hectares.~~

~~In addition, developers of the Carriage and Wagon Welfare Club's sports ground will be required to provide another site which has the same or better facilities in terms of community benefit.~~

- ~~7.21 This land is surplus to the main Bombardier site and includes the Carriage and Wagon Welfare Club's sports ground.~~
- ~~7.22 Restrictions have been placed on the location of B2 and B8 development in the interests of residential and environmental amenity. A limit has been placed on the level of non-industrial development in order to ensure that there is a good supply of land for industrial and business uses. A development brief for the former Adtranz land was approved in September 1996. This is an important form of supplementary planning guidance, which contains detailed considerations for development.~~
- ~~7.23 The sports ground has been surplus to its owners' requirements for some time. Replacement of these facilities will be required in accordance with PPG17 (Sport and Recreation) because there is a deficiency in sporting facilities in this area.~~

EP6 Chaddesden Sidings, West

On 9.6 hectares at Chaddesden Sidings, West, planning permission will be granted for business (B1) (major office development will be subject to Policy EP10) and industrial and storage and distribution uses (B2 and B8).

Developers will be required to provide detailed proposals for the satisfactory treatment of the area adjoining the River Derwent in terms of its visual, recreational and natural history importance (wildlife sites).

- 7.24 This site is prominently situated on the A52, the major eastern approach to the City Centre. It is bounded on the east by the CostCo development, existing business and industrial land to the north and green wedge to the south. This land forms part of the Chaddesden Sidings grouping of employment sites, and relates well to Pride Park.
- 7.25 Development of part of it may be constrained by the need to retain the rail lines for the infilling operation on the adjacent site and the temporary operation of a recycling facility. The proximity of the site to green wedge land and to the River Derwent to the south means that any development must be carefully and sensitively designed. It should also ensure good quality cycle and pedestrian links into, out of and within the site in accordance with Policy GD4 . The Council will seek to promote more sustainable travel patterns of transport. To help achieve this objective, the Council will encourage developers to contribute to the implementation of the riverside cycleway /

walkway and link to this site proposed by Policy T15. Should proposals for major freight uses be put forward, the Council will encourage developers to consider the provision of a rail connection. In any event, the City Council will have regard to Policy T13 which seeks to protect the routes of former rail lines and the potential for freight connections.

EP7 — Chaddesden Sidings, South

~~On 28 hectares to the south of the Wyvern Retail Park, planning permission will be granted for business (B1) (major office development will be subject to Policy EP10) and, industrial and storage and distribution (B2 and B8) development following the completion of current land filling.~~

~~Developers will be required to provide detailed proposals for the satisfactory treatment of the area adjoining the River Derwent in terms of its visual, recreational and natural history importance (wildlife sites).~~

~~7.26 This site is located to the south of the Wyvern Retail Park and can be accessed from Wyvern Way. It is well related to both Pride Park and the Wyvern Business Park and will provide a natural extension to it when current land filling works have been completed. It is anticipated that these works will be completed towards the end of the Plan period.~~

~~7.27 The river has been identified as a site of importance for nature conservation and any development on the site should take this into account. Development should also not weaken existing flood protection measures and should take account of the proposal for a canal route along the south west perimeter of the site in line with Policy L9, as part of the Derby and Sandiacre Canal Restoration project. Any development scheme should make adequate provision for good quality cycle and pedestrian links into, out of and within the site in accordance with Policy GD4 to promote more sustainable patterns of transport. Should proposals for major freight uses be put forward, the Council will encourage developers to consider the provision of a rail connection. In any event, the City Council will have regard to Policy T13 which seeks to protect the routes of former rail lines and the potential for freight connections.~~

EP8 — High Quality Business Park Opportunity Sites

On the following sites, planning permission will be granted for business use (B1) (major office development will be subject to Policy EP10):

a. 5.5 hectares at Chaddesden Sidings East; and

**b. 3.0 hectares on land to the south-west of Chellaston,
between the Derby Southern Bypass and the proposed road
linking the A514 with the Wilmore Road.**

Development will be required to be of a high overall standard of design.

7.28 As a result of their extremely accessible and 'gateway' locations, these small sites are particularly suitable for high quality business park development or for larger single users requiring a high quality environment.

7.29 EP8a is a prime high quality employment site, situated on the A52 at the entrance to the City Centre. Known as the Wyvern Business Centre, over 5000 square metres of high quality B1 business development has taken place since 1993. The City Council anticipates the remaining development to be of a similar vein. Development along the southern perimeter should allow for possible new canal construction in line with Policy L9, as part of the Derby and Sandiacre Canal Restoration project.

7.30 EP8b is located south of the large housing site at West Chellaston (Policy H5) and is easily accessible from the A514 / A50 Wilmore Road Link. Part of this has already been built under Policy T12. This is also a prime gateway site to the City and it is important this should be reflected in the design of any proposals. A high quality, carefully designed, B1 development will also be more compatible with the new housing to the north, and the largely rural environment outside the City. Planning permission exists for roadside services on the site and, should this come forward, a mixed-use development with B1 uses would be acceptable. However, in the event that the roadside service development is not forthcoming, the Council would prefer to see the whole site developed for business uses.

7.31 Developers of EP8b are advised to liaise with the Council and Environment Agency to discuss issues of watercourse and water balancing improvements.

EP9 General Business and Industrial Opportunity Sites

The City Council has identified the following sites for business and industrial development. These offer opportunities for a range of investment, from small and medium enterprises to larger single users. On all sites major office development will be subject to Policy EP10.

In order to encourage the establishment of small industrial firms, the City Council will welcome the provision of small scale development, including starter units and workshop accommodation.

Planning permission will be granted for the uses specified below.

Sites suitable for business use (B1):

- a. 0.6 hectares at Harvey Road.

Sites suitable for business, industrial, storage and distribution uses (B1, B2 and B8):

- ~~b. 5.3 hectares at Osmaston Park Road;~~
- ~~c. 3.3 hectares at Station Road, Spondon;~~
- d. 3.0 hectares at Nottingham Road, Spondon;
- e. 2.6 hectares at Wilmore Road, Sinfin – subject to Policy E14;
- ~~f. 2.1 hectares at Station Road, Spondon;~~
- ~~g. 2.0 hectares at Nottingham Road, Spondon;~~
- ~~h. 0.6 hectares at Mansfield Road;~~
- i. 0.6 hectares at Alfreton Road.

Site suitable for a combination of business, industrial, storage and distribution uses (B1, B2 and B8) and community uses:

- ~~j. 4.2 hectares at the Sinfin Tannery site, subject to satisfactory remediation of any contamination, to the satisfactory treatment of the boundary of existing residential properties and provided that the need for community uses is established.~~

- 7.32 It is important that the Plan provides a wide variety of sites which can meet the needs of different operators and uses. The range of sites identified under this policy offer particularly good opportunities for the establishment of new small and medium enterprises (SMEs) and / or the relocation of existing businesses.
- 7.33 The developers of sites b and e will be encouraged to liaise with the City Council, the Environment Agency and other developers in relation to improvements to the Cuttle Brook required for surface water drainage. Developers of sites c, d, f, and g will be encouraged to liaise with the City Council, the Environment Agency and each other to provide a co-ordinated approach to land drainage.
- 7.34 The following key points should be kept in mind for the individual sites:
- a. This is a vacant industrial site that has been part of the employment land supply for some time. In order to protect residential amenity, uses have been restricted to B1.
 - b. Development will be carefully considered in terms of its potential impact on the Melbourne Junction site of nature conservation value (Policy E4).
 - c. This site is now known as the Stoney Cross Industrial Estate on which several units have already been developed. In considering further planning applications, the City Council will have regard to the existing features of environmental importance within the site, the adjacent canal corridor and recreation route and the possibility of the canal restoration.
 - d. Part of this site may be required as expansion land for existing businesses in the area. In addition, an area of vacant land which was formerly part of the Nottingham Road allotments is also considered suitable for industrial and business development. This site is adjacent to the canal corridor and development should take account of the recreation route along this and possible proposals for canal restoration.
 - e. This site may be affected by noise from nearby Rolls Royce test beds and its use may be restricted. Policy E14 sets out these restrictions. In considering development proposals on this site, the City Council will have regard to the existing features on the site of wildlife interest. Developers are asked to liase with the Derbyshire Wildlife Trust.
 - f. The site is adjacent to the canal corridor and development should take account of the recreational route along this and possible proposals for canal restoration.
 - g. This is an infill site within a predominantly built up area. Any proposal should take account of the site's former use as a refuse tip, the

adjacent canal corridor and recreation route and the possibility for future canal restoration.

- h. This is the remaining part of a larger site already developed for a car showroom. The Environment Agency have advised that balancing facilities for the site as a whole are required to assist drainage. Developers are advised to liaise with the Environment Agency.
- i. This is a small site which remains vacant as part of the Pektron complex and offers a valuable opportunity for expansion.
- j. It is possible, should a need be established, taking into account other appropriate policies in the Plan, that some of the site could be given over to community uses. This site was previously used as a tannery and it is believed to be contaminated. Developers should liaise with the City Council, the Environment Agency and the Health and Safety Executive at an early stage and any development should ensure that, as part of the development site, the contamination is suitably dealt with as per Policy E13. There are residential dwellings adjacent to the western boundary of the site and it is important that any development does not have a detrimental impact on their amenity.

General Economic Prosperity Policies

EP10 Major Office Development

Proposals for major office development over 2,500 square metres gross floorspace will not be granted unless a sequential approach to site selection is demonstrated. First preference should be given to City Centre sites, followed by edge-of-centre sites and only then out-of-centre sites in locations that are accessible by a choice of means of transport.

7.35 Individual proposals for major office development which are likely to have a high density of employment and / or which are of a large overall scale, will be considered against this policy. Major office developments have the potential to employ large numbers of people which, in turn, have the potential to generate a large number of trips.

7.36 This policy is intended to meet sustainable development objectives by ensuring that larger office schemes adopt a sequential approach to site selection in accordance with PPS6. The City Centre is the preferred location because it offers the best opportunities for travel by the whole range of transport modes and for 'linked trips' with retail and leisure based activities.

If City Centre sites are not available then sites on the edge of the City Centre with good access by a choice of means of transport will be acceptable. If suitable sites in these areas are not available, then out-of-centre locations, which are accessible by public transport, pedestrians and cyclists are an acceptable alternative. In these circumstances, allocated employment sites are preferable to new isolated out-of-centre locations.

EP11 Development in Existing Business and Industrial Areas

Within the established business and industrial areas, planning permission will be granted for business, industrial and storage and distribution uses (B1, B2 and B8).

Where B2 or B8 uses would be likely to adversely affect the amenity of nearby residents, planning permission will be restricted to development within the B1 Use Class.

Planning permission will only be granted for the redevelopment of existing business or industrial sites or premises for alternative uses, provided that the following criteria are met

- a. In the case of sites near to residential areas, redevelopment would lead to an improved environment for residents;**
- b. It would not lead to a qualitative or quantitative deficiency in the supply of employment land;**
- c. The proposal would not be incompatible with established employment activity;**
- d. The proposal would not decrease the development potential of nearby land identified for business and industrial use.**

In considering alternative residential proposals (C3) a satisfactory living environment must be created and adequate supporting community facilities provided.

In considering alternative non-residential proposals, regard will be had to the employment generating potential of the alternative use.

7.37 Existing industrial and business areas are largely built-up. There may, however, be scope for additional development or redevelopment, especially

for the expansion of existing uses. Allowing development in such areas will prevent the accumulation of redundant land and protect job opportunities.

7.38 Some existing industrial and business areas are either located within mainly residential areas or are close to residential properties. Further economic development within these areas should ensure the protection of residential amenity. Where impact on amenity is a concern, business uses within the B1 Use Class are more able to complement a residential environment.

7.39 In some cases, the redevelopment of land used for business and industrial uses could alleviate conflicts between these and surrounding uses. This can bring benefits for the area as a whole, particularly where there is conflict between residential properties and business use. Residential redevelopment and associated community uses may help to improve the local environment and provide the opportunity to create more open space in inner-city areas. Residential redevelopment in these areas may also improve the mix of complementary land uses and help meet brownfield housing targets. It is, however, a requirement of the Structure Plan that an adequate business and industrial land supply is maintained and so proposals for development of existing business and industrial land should not override the employment objectives of the Plan.

EP12 Alternative Uses of Proposed Business and Industrial Areas

Planning permission will be granted for alternative uses provided that;

- a. The proposal would not lead to a qualitative or quantitative deficiency in the supply of employment land;**
- b. The proposal would not be incompatible with established employment activity;**
- c. The proposal would not decrease the development potential of nearby land identified for business and industrial use.**

In assessing such proposals, regard will be had to the employment generating potential of the alternative use.

7.40 It is important that sufficient land is allocated and available for business and industrial use to meet the economic needs of Derby and the Structure Plan requirements. However, in some circumstances it may be appropriate to

consider alternative uses to those specified in the policies, particularly for uses where specific sites have not been allocated. A key factor in any application for an alternative use will be the site's value to the employment land supply. This is not only in terms of the overall amount of land in the City but also the prevalence, range and quality of sites in the vicinity of the proposal. In addition, the Council will carefully consider whether new 'alternative' development can reasonably co-exist with existing business and industrial operations and try to ensure that development does not prohibit industrial or business activity on land allocated for that use. The Council also recognises that in a modern economy not all employment opportunities fall strictly within the B1, B2 or B8 use classes. Therefore, the job creation potential of any alternative proposal will be taken into account. In considering proposals, the Council will give full weight to other policies of this Plan.

EP13 — Business and Industrial Development in Other Areas

In order to maximise employment opportunities, the City Council will grant planning permission for business and industrial uses outside allocated sites, provided that it would not conflict with other policies of the Local Plan and:

- a. — It would not lead to a gross over-supply of business and industrial land in relation to the Structure Plan requirement;**
- b. — Where B2 or B8 uses would be likely to adversely affect the amenity of nearby residents, planning permission is restricted to development within the B1 Use Class.**
- c. — The proposal is well integrated with the existing pattern of development and avoids prominent intrusion into the countryside.**

7.41 — There will be occasions where proposals are made to use unallocated sites or buildings for business use. Such development can often be beneficial to the economy of the City and to specific local areas. Such proposals may offer sustainable development advantages such as improving the mix of land uses in an area. National advice in PPG4 specifically advocates provision for small businesses in residential areas.

7.42 — It would, however, be counter-productive to allow very high levels of development on unallocated sites resulting in an oversupply of land. This

could lead to allocated sites not coming forward for development, many of which are key regeneration or redevelopment sites. Much of the land outside existing and proposed business and industrial areas is also sensitive in some way. In such locations, it is unlikely that employment objectives would outweigh residential amenity issues or other objectives of the Plan, such as Green Belt or Green Wedge designations.

EP14 — Employment with Potential Off-Site Effects

Planning permission will be granted for the following:

- a. — Development which involves the storage, handling or distribution of explosive, highly flammable, toxic or corrosive materials;**
- b. — Development which involves dangerous and / or noxious processes;**
- c. — The bulk storage of materials (such as foodstuffs, domestic waste and timber) which might give rise to environmental amenity or health problems; and**
- d. — Development which would give rise to high levels of noise or other disturbance.**

provided it can be demonstrated that:

- 1. — There would be no significant risk or detriment to the health, environment or amenity of nearby residents, employees or others in the area;**
- 2. — There would be no significant risk of escape of dangerous, pollutant or malodorous material;**
- 3. — Existing and future business activity in the area would not be unduly inhibited; and**
- 4. — The proposal is sited well away from residential or other environmentally sensitive areas and within one of the existing or proposed industrial and business areas as defined on the Proposals Map.**

7.43 — It is important to assess proposals with potential off-site effects thoroughly to ensure that they do not create unacceptable risks to health, safety, amenity

or environment. The advice of the Environment Agency, the Health and Safety Executive and the City Council's Chief Environmental Health Officer should be sought on appropriate applications.

Tourism

EP15 Visitor Attractions

Planning permission will be granted for the development, enhancement and expansion of visitor attractions and related facilities. The City Council will particularly seek to encourage the development of such facilities in the following areas:

- a. The City Centre;**
- b. Within the Normanton Road / Peartree Road Linear Centre and around the Arboretum and the Crown Derby site;**
- c. Along the corridor of the River Derwent, especially within the nominated World Heritage Site;**
- d. Within Policy EP3b on Pride Park; and**
- e. Other locations which are easily accessible by alternative modes of transport to the car, including foot, cycle and public transport.**

7.44 Tourism plays a very important part in Derby's economy. In order to promote further visitor growth in the City it is important to try to encourage new visitor attractions. The areas listed are examples of where existing visitor attractions could be added to or where there may be some potential for future tourism development.

EP16 — Visitor Accommodation

In addition to locations where specific provision has been made in the Plan, the City Council will permit the development, expansion or improvement of visitor accommodation and related facilities, including conference facilities, in the following locations:

- a. — The City Centre, particularly in areas well related to the railway station;**
- b. — Other areas which are well served by the public transport network; and**
- c. — Areas which are well related to existing or new visitor attractions.**

7.45 — A key factor in promoting Derby as a tourist and visitor destination is the quality and availability of accommodation in the City. Business tourism is also a growing sector of the tourist industry, and allowing growth of conferencing facilities or exhibition space could also contribute the City's tourism / visitor offer. The locational criteria included in the policy are intended to encourage more sustainable patterns of development in line with the other policies of the Plan.

8. Shopping

Introduction

- 8.1 — Retailing is of great importance to Derby's economy and its people. The City has a long established hierarchy of traditional shopping centres, dominated by the City Centre and supported by a network of District and Neighbourhood Centres. These centres perform important functions which the Plan aims to nurture and protect. The City also contains a wide range of out-of-centre shopping facilities, including foodstores and retail warehouses, primarily in the form of three large 'retail parks'.
- 8.2 — The Plan sets a retail strategy, consistent with the Structure Plan and Government guidance in PPS6 (Planning for Town Centres), which includes the definition of a hierarchy of traditional centres to be protected and enhanced. Criteria are identified against which all applications for new retail development will be assessed, including the key tests of need, sequential approach and impact. There are specific policies covering District Centres, Neighbourhood Centres and Small Shops.
- 8.3 — The Plan also recognises the special locational requirements of some forms of retailing, especially bulky goods and goods requiring large showrooms. Specific out-of-centre retail parks have been identified for these purposes, and whilst these support the retail hierarchy, they do not form part of it. The Plan seeks to limit the types of goods and services that can be sold from out-of-centre locations.
- 8.4 — Finally, there are policies to guide the development of two uses closely related to retailing: financial and professional services (Use Class A2) and food and drink (Use Class A3, A4 and A5).

Retail Strategy

S1 Shopping Hierarchy

The City Council's strategy is to promote sustainable shopping patterns and maintain access to the full range of shopping facilities in the defined shopping hierarchy for all sections of the community. It therefore seeks to sustain and enhance centres within the hierarchy and prevent development which would undermine this aim. The shopping centre hierarchy is defined as being the:

- City Centre;
- District Centres & Normanton Road Linear Centre; and
- Neighbourhood Centres.

All centres within the hierarchy are defined on the Proposals Map.

Some forms of retailing may be difficult to operate within existing centres and therefore the strategy identifies out-of-centre locations which complement the shopping centre hierarchy and includes policies to maintain this relationship.

8.5 This policy establishes the Plan's overall retail strategy. Reflecting national guidance in PPS6, it seeks to promote the City Centre and other traditional centres as the main locations for a wide range of retail and other services. The City Centre has a sub-regional role with a particular emphasis on high quality comparison goods, especially for 'leisure' shopping. The Plan also identifies a further 13 District Centres and around 50 Neighbourhood Centres as part of the shopping centre hierarchy. District Centres provide a wide range of local shopping facilities as well as other services and community uses. They tend to have wider catchment areas and often provide the primary food shopping location for nearby residential areas. Neighbourhood Centres are smaller and concentrate on the provision of basic essential goods. These usually have far tighter catchment areas, primarily providing 'top-up' facilities and other community services to local residents. The centres are all listed in Appendix D. Protecting the vitality and viability of these centres helps to reduce social exclusion by ensuring that all members of the community, including those without cars, have easy access to a wide

range of facilities. Most households are within 400 metres of one of these centres, which is a reasonable walking distance, thus reducing car dependence. The maintenance of the hierarchy, therefore, makes an important contribution to sustainable development objectives.

- 8.6 — It is recognised that the sale of certain types of goods from centres within the hierarchy would be difficult. Six out-of-centre retail locations, identified in Policy S8, provide a complementary role for the sale of certain bulky goods.

S2 — Retail Location Criteria

Planning permission will only be granted for retail development, discount clubs (or other wholesale development which is not exclusively for traders) provided that the proposal does not, either by itself or cumulatively with other proposals:

- a. — Undermine the strategy and objectives of the Local Plan; or**
- b. — Undermine the vitality and viability of existing centres within the shopping centre hierarchy.**

When requested, proposals should be accompanied by a retail assessment.

In the case of proposals within defined centres:

- c. — The proposal is compatible with the scale, nature and function of the centre.**

In the case of proposals outside defined centres, the Council is satisfied that;

- d. — The applicant has established a need for the development.**
- e. — The applicant has demonstrated that the identified need cannot be accommodated within relevant centres of the defined hierarchy. If this is established, then second preference should be for suitable edge-of-centre sites, followed by existing out-of-centre locations defined in Policy S8. New out-of-centre locations will only be considered when all other alternatives have been fully evaluated.**

— The relevant centres in which to search for suitable sites

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~~or buildings will depend on the nature and scale of the proposal and the catchment area that the development seeks to serve.~~

~~f. The site is easily accessible by alternative modes of transport to the car, including public transport, foot and cycle and the proposal does not unacceptably add to the overall number and length of car trips.~~

~~g. There would be no unacceptable loss of land allocated for other uses; and~~

~~h. The types of goods sold would be acceptable under Policy S9.~~

~~8.7 This policy complements the strategy set out in S1. It reflects PPS6 and the Structure Plan by supporting the defined shopping centre hierarchy as the most sustainable locations for new retail development and setting out criteria against which shopping proposals can be considered. It also complements the Council's objectives of regenerating the City Centre and promoting its regional significance.~~

~~8.8 Applications for retail development in out-of-centre locations, including those designated in the Local Plan and proposals to broaden the range of goods sold from existing retail units, will be subject to the three 'tests' of need, sequential approach and impact. There must be a proven need for the proposal if it is outside the shopping centre hierarchy. There is not yet a widely accepted definition of 'need' in retail planning terms. As such, the Council will assess any proposals on their merits. Provided the City Council accepts there is a 'need', a sequential approach to site selection should be demonstrated as set out in the policy. Applicants should evaluate all opportunities within existing centres of the hierarchy and give valid reasons why proposals cannot be accommodated within them. Assessments should include analysis of the suitability of sites, whether they are likely to become available within a reasonable period of time and whether they are viable for the proposed use. When considering which are the relevant centres to be examined, the location, scale and nature of the proposal and the 'need' identified will be taken into account. For example, where development will serve a City-wide catchment or 'need', first preference should be the City Centre. The preferred format of a retailer should not be used as a reason for disregarding in-town opportunities. Donaldsons have undertaken an assessment of the capacity for new retail floorspace in the City. This is important in terms of assessing 'need' for new proposals. Their report concludes that there is currently capacity for additional comparison floorspace within the City Centre. The assessment also states that there is currently an oversupply of retail warehouse floorspace. Although capacity has been identified for new retail warehouse development by the end of the~~

~~Plan period, extant permissions already cater for more than the amount specified. Similarly, the assessment identified that the City is currently well served by supermarkets / superstores with only limited capacity for additional development by the end of the Plan period. It is likely that recent permissions for new convenience floorspace have already taken up this capacity.~~

~~8.9 — The Council will request a full retail assessment for any out-of-centre retail scheme of over 2500 square metres gross floorspace. Where it considers that significant adverse effects on the existing shopping centre hierarchy may result from a smaller development proposal, an assessment will also be required. Structure Plan Town Centre and Shopping Policy 2 (New Development in Existing Centres) states that proposals must not undermine other nearby centres. To ensure that this does not happen, assessments will also be requested for proposals within existing centres where the Council feels there may be some impact or where additional information is needed to help determine the application. All statements should include details of the expected catchment area for the proposal, a quantitative and qualitative assessment of 'need', details of the site selection process and an assessment of individual and cumulative impact of the proposal. The Donaldson's report identified only limited capacity for additional convenience floorspace. However, the Inspector who held the Local Plan Inquiry, found there to be capacity for an additional 2,800 m² of this. The Council has reconsidered its retail strategy and has made two new allocations for retail floorspace. These are at the former Friar Gate Goods Yard (R2) and Heatherton Neighbourhood Centre (H9). Together, these allocations will meet the additional capacity identified at the Inquiry.~~

~~8.10 — The Local Plan Review must ensure that there is sufficient land to meet the City's needs for other uses and that sensitive sites and areas are protected. As such, retail development will not be permitted where it would result in an unacceptable loss of land allocated for other uses. Where such schemes are proposed, other relevant policies, including those covering the allocation, will be used to determine if the proposal would constitute an 'unacceptable' loss of land.~~

Defined Centres

S3 — District and Neighbourhood Centres

Within the District and Neighbourhood Centres defined on the Proposals Map, planning permission will be granted for shops (A1) and other complementary uses serving a local need, provided that:

- a. The proposal is compatible with the general scale, nature and function of the Centre.**
- b. The proposal would not detract from the Centre's vitality or viability by means of:**
 - * Reducing the proportion of existing or committed ground floor frontage in A1 usage;**
 - * Separating important shop or service units; or**
 - * Introducing uses not open to the public.**
- c. Wherever practicable, a shop front or display of visual interest is maintained.**

Office (B1) and residential (C3) proposals will be permitted on first floors and above. Such uses will also be acceptable in ground floor locations, where these are on the periphery of centres and where the Council is satisfied that it would combat long term vacancy and would not result in an adverse effect on the vitality and viability of the Centre.

8.11 The policy tries to maintain the retailing function of District Centres, while recognising that other uses can contribute to their vitality and viability. The appropriateness of non-shopping uses will be considered on their merits and care will be taken to ensure that changes from shopping to non-shopping uses do not undermine the vitality of a Centre as a whole. Although Residential accommodation could adversely affect the vitality of local centres if it was located within commercial frontages, it is welcomed above ground floor level. Encouraging 'Living Over the Shop' can bring additional vitality to centres, making them safer, and bringing vacant and underused space back

into use. Exceptionally, residential uses may be allowed at ground floor level on the edge of, but within, District Centres, where there are persistent problems of vacancy.

8.12 District Centres serve relatively large residential areas and have good public transport links. Usually, they contain a range of local shopping facilities, such as supermarkets, newsagents, small convenience stores, post offices and chemists. They often include a number of non-shopping uses which complement the main shopping function. These include hot food shops, restaurants, banks, building societies, as well as community uses, leisure uses and religious buildings. The City Council recognises the important role that District Centres have and wishes to promote their health and diversity.

8.13 The policy recognises the local shopping function of Neighbourhood Centres and tries to ensure it is maintained. However, other non-A1 uses can also contribute to this vitality and, in some circumstances, can help keep centres viable in the long term. Neighbourhood Centres should have at least four units in core uses. Residential conversions at first floor level and above are considered to be beneficial. However, changes of use to housing at ground floor level would undermine the local shopping function and will only be permitted on the periphery of Centres where there is a persistent vacancy problem. Appropriately sized supermarkets may also be permitted in Neighbourhood Centres, subject to adherence to other policies in the Plan, including S2.

8.14 Locating and protecting shopping, local services and community facilities within District and Neighbourhood Centres helps to limit the need to travel by private car, reducing pollution and congestion and helping trips by foot and by bike. They are also of benefit to less mobile people and are very important in addressing social exclusion since they are highly accessible to people who do not have access to a private car.

S4 Proposed Neighbourhood Centres

Land is allocated for a new Neighbourhood Centre, including community facilities, to serve the major housing proposals at West Chellaston (H5 and H10).

Planning permission will be granted for an extension to Heatherton Neighbourhood Centre to facilitate additional floorspace identified by Policy H9 or justified through Policy S2.

Planning permission will only be granted for retail development of a scale or type which would not adversely impact on the vitality and viability of existing District or Neighbourhood Centres in the vicinity.

Planning permission for alternative development will not be granted unless;

- a. The City Council is satisfied that sufficient provision has been made for a Neighbourhood Centre; and**
- b. The City Council is satisfied that there is no need or demand for the use of the remaining part of the site for community uses.**

8.15 When major new housing developments are planned, it is important that residents have good access to local shopping facilities. The scale of housing development proposed at West Chellaston justifies the provision of new retailing facilities in this area. Policy H9 requires the expansion of Heatherton Neighbourhood Centre to include additional convenience retail floorspace of around 1000m². Its Reasoned Justification also states that more floorspace may be acceptable if this can be justified in terms of Policy S2. Expanded facilities may require an extension to the Neighbourhood Centre. Appropriately sized supermarkets may be permitted at both Centres subject to adherence to other policies in the Plan, including S2.

S5 — Small Shops

In locations which are more than 400m from a District Centre, a Neighbourhood Centre, or defined out-of-centre locations, planning permission will be granted for small shops provided the proposal would not, either individually or cumulatively with similar development, undermine the vitality and viability of the centres of the defined hierarchy.

- 8.16 While retail development outside existing centres is generally undesirable, it might be appropriate to encourage small shops in areas not well served by existing shopping centres or out-of-centre locations. Areas that are more than 400 metres from a designated centre are considered to be deficient. Small shops permitted in areas of deficiency should generally not exceed 400 square metres gross floorspace, so that they are not likely to impact on the vitality and viability of existing centres.

S6 — Extensions to Small Shops

Outside the defined shopping centre hierarchy and out-of-centre locations, planning permission will be granted for limited extensions within their existing curtilage to small shops provided the Council is satisfied that the expansion would not undermine the vitality and viability of an existing centre.

- 8.17 In areas outside the defined centres in the shopping centre hierarchy individual, or 'corner shops' can provide a valuable local service, especially in areas that are not well served. Where possible, such units should be able to expand to enhance their own viability and the local service they offer. As a general rule, an expansion of up to 50% of the original floorspace will be acceptable, although this may vary depending on local factors such as the proximity of any defined centres. Expansion that could individually or cumulatively impact on existing centres of the shopping centre hierarchy will not be acceptable.

~~S7 Conversion of Shops~~

~~In locations outside the defined shopping centre hierarchy, planning permission will be granted for the conversion of shop units to residential or other uses compatible with the nature of the locality provided that it would not lead to an unacceptable loss of basic local shopping facilities from the area.~~

8.18 Although it is recognised that small shops outside the retail hierarchy offer a vital shopping function, there may be circumstances when the units are no longer viable for retail use. Providing that there are other shopping facilities in the vicinity, it is desirable for vacant premises to be bought back into use, particularly for residential uses. It is, however, important to ensure that all members of the community have access to adequate shopping facilities. Therefore, in areas where there is an existing shopping deficiency, or where a deficiency would result from the proposal, loss of units through conversion would be unacceptable.

~~Out-of-Centre Retail Development~~

~~S8 Out-of-centre Retail Parks and Other Locations~~

~~Planning permission will be granted for limited extension or consolidation of existing retail development within the following out-of-centre retail parks and other out-of-centre locations, subject to the application of the criteria in Policy S2 and Policy S9:~~

- ~~1. Kingsway Retail Park;~~**
- ~~2. The Meteor Centre;~~**
- ~~3. The Wyvern Centre;~~**

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4. Asda, Spondon;

5. Osmaston Park Road;

6. Manor Road.

8.19 The retail strategy seeks to support the traditional centres of the hierarchy by channelling new retail development into them. However, the Council recognises that some retail operators need an out-of-centre location to operate. These are primarily concerns selling 'bulky goods' which may be difficult to locate within traditional centres. Six existing off-centre retail locations have been identified which offer some scope for extensions or consolidation of existing development. Locating new out-of-centre development at these existing sites is preferable to the establishment of new locations in view of the opportunity for 'linked' trips. All applications will still be subject to the 'tests' set out in Policy S2.

8.20 Donaldsons published a report in December 2000 on the capacity for new retail development in the City. This confirmed that there was little need for new out-of-centre floorspace beyond that already built or identified in the Plan. However, subsequent planning permissions within designated out-of-centre locations more than satisfy the City-wide capacity identified by Donaldsons.

~~S9 Range of Goods and Alterations to Retail Units~~

~~Planning permission for any shop (A1) unit outside the existing shopping centre hierarchy will be subject to conditions preventing:~~

- ~~a. The sale of the following goods and services within the A1 Use Class:~~**

~~Clothes; Footwear; Fibres and Textiles for clothing; Toys and Non-Bulky Sports Goods and Sportswear; Ornaments, Silverware, China, Glassware and Giftware; Musical Instruments; Books and Recorded Material; Stationary, Artwork Supplies and Greetings Cards; Jewellery, Watches and Clocks; Photographic and Optical Goods; Post Offices; Pharmacies; Travel Agencies and Travel Goods and any other use that cannot demonstrate a need to operate from an out-of-centre location.~~

- ~~b. The subdivision or merging of units and provision of mezzanine floors.~~**

~~Outside designated out-of-centre locations (Policy S8), planning permission will not be granted to broaden the range of goods and services currently permitted.~~

~~Within designated out-of-centre locations (Policy S8) conditions will be applied restricting the goods that can be sold to:~~

~~DIY Goods; Furniture, Carpets and Soft Furnishings; Bulky Electrical Goods.~~

~~8.21 The City Council's strategy is to ensure that there are complementary roles for traditional centres and out-of-centre locations. It seeks to promote traditional centres, especially the City Centre, as the most desirable location for new investment. In particular, it seeks to protect the role of traditional centres for the sale of comparison and fashion related goods and the district and local centres for convenience goods and services.~~

~~8.22 Policy S8 recognises that the sale of some 'bulky goods' can be more effectively achieved from purpose built out-of-centre locations. However, restrictions are needed on what can be sold from these stores to ensure that the overall retail strategy is not undermined. The restricted goods and~~

~~services set out in the policy include those items that the Council considers to be essential to the vitality, viability and long term prospects of the traditional centres in the hierarchy and for which it is considered an out-of-centre location is unnecessary. The sale of these goods from out-of-centre locations would undermine the aims of supporting and regenerating the traditional centres, working against sustainability and social inclusion objectives.~~

~~8.23 The list of goods that will be permitted for sale in designated out-of-centre locations represent those items which, in view of their 'bulkiness' are more acceptable in such locations. In between these two specific categories, there are other goods and services which may or may not be appropriate in an off-centre context depending on their specific circumstances, including food retailing. In such cases, the tests outlined in Policy S2 will be applied in order to ensure the Plan's retail strategy and objectives would not be undermined.~~

~~8.24 In view of the concerns expressed above, planning permission will not normally be granted to broaden the range of goods already permitted for sale from existing out-of-centre retail premises outside defined retail parks, which tend to have permissions allowing the sale of only a very limited range of products.~~

~~8.25 In considering applications for new retail units, or the change of use of existing units to retail use, the City Council will impose conditions to ensure that the character or scale of a development does not subsequently change without being subject to the tests of Policy S2. In particular, conditions will be used to prevent the sub-division of large units into smaller shops; and the enlargement of units either by merging with an adjacent unit or by the creation of additional floorspace within the building (e.g. the addition of a mezzanine floor).~~

S10 Trade and Showroom Type Sales

Outside the defined shopping centre hierarchy, planning permission will be granted for trade and showroom-type sales (namely, garden centres, car and caravan showrooms, petrol filling stations, tyre and exhaust centres, and trade only wholesalers such as builders and plumbers merchants) provided that:

- a. The surrounding area is predominantly commercial or industrial in character, and where appropriate;**
- b. It is accessible by a choice of means of transport.**

Conditions will be attached to permissions preventing any subsequent change of use to other retail purposes. Planning conditions will be imposed to restrict retail floorspace or the range of goods sold from petrol filling stations.

8.26 Specialised and extensive outlets, of the type listed in the Policy, are often inappropriate in traditional shopping centres and difficult to accommodate in out-of-centre retail parks. Other out-of-centre locations may therefore be acceptable, provided proposals meet the other relevant policies of the Plan. Locating such proposals in primarily commercial areas should protect amenity and provide opportunities for visits by public transport.

8.27 In order to ensure that defined shopping centres are not undermined, conditions will be attached to any permission to prevent general retail sales and / or the goods sold. The imposition of conditions is particularly important with petrol filling stations which often have sales areas more akin to small general convenience stores. An uncontrolled proliferation of such uses could be detrimental to the Plan's retail strategy.

S11 Factory Shops

Planning permission will be granted for factory shops where:

- a. The premises are included within the curtilage of and are ancillary to the manufacturing unit which produces the goods intended to be sold; and**
- b. Visiting customers can be accommodated without generating problems of vehicular access and parking on the premises or on the adjacent highway.**

Planning permission will be granted subject to conditions restricting the goods sold to those manufactured on the site and preventing the sale of goods imported or manufactured elsewhere.

- 8.28 Factory shops allow the sale of a manufacturer's output direct to the visiting public. They can provide a useful outlet for the goods made on particular premises and can provide beneficial competition to other retail sectors. However, if they are allowed to proliferate in an uncontrolled manner they could undermine the vitality and viability of centres within the defined shopping centre hierarchy, undermine the retail strategy and work against the Plan's sustainability objectives. This would cause particular problems if goods were sold which are not made on the premises. In such cases, the factory shops would operate as a straight forward retail operation and, in an out-of-centre location, this would be contrary to the retail strategy.

~~S12 Financial and Professional Services and Food and Drink Uses~~

~~Financial and Professional Services (A2) and Food and Drink uses (A3, A4, A5) will be permitted within, and on the edge of centres in the defined shopping centre hierarchy provided that it would not lead to a concentration of such uses likely to undermine the vitality and viability of the Centre.~~

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~~Outside these centres, planning permission will only be granted where;~~

- ~~a. A need for additional local facilities has been established which cannot be met within, or on the edge of, a nearby existing centre;~~
- ~~b. The site is on a main road location with good access to the site by the full range of transport modes and where the proposal would not compromise the safe movement and free flow of traffic;~~
- ~~c. There would be no unacceptable loss of land allocated for other uses.~~

~~Conditions will be imposed to prevent changes of use to another retail purpose.~~

~~In all areas, planning permission will not be granted for A3, A4 or A5 proposals which would cause unacceptable harm to the amenity of nearby areas, whether residential or otherwise.~~

~~In relation to permissions for A3, A4 or A5 uses, conditions requiring the installation of efficient ventilation systems; incorporation of sound insulation and the limitation of opening hours will normally be imposed to protect amenity.~~

~~8.29 It is important that services such as banks and building societies and facilities such as public houses, restaurants cafes and hot food takeaways are easily accessible by the public. Like shops, they are best situated in traditional shopping centres with good links by bus, cycle or foot.~~

~~8.30 PPS6 states that the sequential approach used to consider retail applications should apply to other key town centre uses, including commercial and public offices, and pubs and restaurants. If an out-of-centre location is proposed, applicants should demonstrate that a need exists which cannot be met within an existing centre. Applicants must show that suitable sites or units are not available within traditional centres and that the proposed site is on a main road location, accessible by a choice of means of transport. Should permission be granted in an out-of-centre location, conditions will be imposed to prevent general retail sales (A1) in order to ensure that the role and function of defined centres is not undermined.~~

- ~~8.31 It is also possible, that an over-concentration of such uses within some shopping centres could damage vitality and viability due to a serious loss of shopping function, or through impacts on the quality of the environment and character of an area and environmental problems such as smells and disturbance. Hot food takeaways, in particular, can cause a serious nuisance to nearby residents and the occupants of other properties.~~
- ~~8.32 Impact on amenity is always an important issue in considering food and drink in proposals. Where amenity would be seriously damaged by a proposal, permission will be refused.~~
- ~~8.33 Conditions can often be placed upon planning permissions to protect amenity. Noise disturbance, smells and fumes can be controlled through the limiting of opening hours and through use of fume extraction and filtering equipment. The City Council will require the best practicable means of fume extraction and filtering to be applied where there will be cooking equipment in premises near to residences.~~

9. Environment

Introduction

9.1 The protection of the natural and built environment remains a key objective of the reviewed Local Plan. Careful use of our natural resources is a key component of promoting sustainable development. Helping to ensure a high quality urban environment is an important part of making urban living more attractive. As Government Guidance in 'A Better Quality of Life' notes, "a damaged environment impairs quality of life". This chapter seeks to set out land use policies to achieve these objectives and take forward the City Council's commitment to protect and enhance the environment, both locally and globally.

The Natural Environment

E1 Green Belt

Within the Green Belt, planning permission will only be granted for appropriate development such as agriculture, forestry, essential facilities for outdoor sports and outdoor recreation, cemeteries and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purpose of including land in it provided that:

- a. The scale, siting, design, materials and landscape treatment are such that the visual effect of the proposal is minimised;
- b. The proposal would not lead to an excessive increase in the number of people, traffic or noise;
- c. The proposal would not have a harmful effect or an urbanising influence on the character and visual amenities of the Green Belt.

Planning permission will be granted for the conversion or change of use of existing buildings in the Green Belt provided that criteria b and c above are met and that:

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- ~~The proposed use does not have a significantly greater impact on the openness of the Green Belt and the purposes of including land within it than the existing use;~~
- ~~Any extension or associated use of land surrounding the building would not conflict with the openness of the Green Belt and the purposes of including land within it;~~
- ~~The buildings are of a permanent and substantial construction and are capable of conversion without major or complete reconstruction; and~~
- ~~The form, bulk and general design of the buildings are in keeping with their surroundings.~~

~~Planning permission will be granted for extensions to existing dwellings in the Green Belt provided that they:~~

- ~~Are proportionate to the size and in keeping with the scale and character of the existing dwelling;~~
- ~~Are constructed of appropriate building materials; and~~
- ~~Do not have an adverse impact on the setting of the dwelling or the Green Belt.~~

~~Planning permission will be granted for the redevelopment of existing dwellings in the Green Belt provided that:~~

- ~~The proposed dwelling does not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing use;~~
- ~~The proposed dwelling does not exceed the height of the existing buildings; and~~
- ~~The proposed dwelling does not occupy a materially larger area of the site than the existing buildings, unless this would result in a reduction in height which would benefit visual amenity.~~

~~Planning permissions for the conversion or change of use of farm buildings will be subject to conditions to prevent a proliferation of additional farm buildings under permitted development rights.~~

- 9.2 The context of this policy is set out in PPG2 (Green Belts) and the Derby and Derbyshire Joint Structure Plan (General Development Strategy Policy 7). The Structure Plan identifies, in broad terms, the South-East Derbyshire Green Belt. This aims to prevent the coalescence of the Derby and Nottingham built up areas and to maintain the separate identities of Derby, Duffield, Belper and the Erewash Valley towns and villages to the southeast and east of Derby. The main aim of this policy is to maintain the openness of the Green Belt. Planning applications for new buildings will be considered with regard to this objective.
- 9.3 The conversion or change of use of buildings can be acceptable in the Green Belt provided that the criteria set out in policy are met. Conversions can help to ensure that buildings remain in use and can also help to diversify the rural economy. It is, however, important that such proposals do not seriously affect the overall character or openness of the Green Belt. When granting permission for the conversion of agricultural buildings, the City Council will consider whether there is a need for conditions to prevent a proliferation of additional farm buildings that could be constructed under permitted development rights. New buildings or the change of use of land may be permitted in the interests of promoting farm diversification, provided the objectives of the policy are not compromised.
- 9.4 The extension or alteration of existing dwellings may also be permitted provided that they are in keeping with the size and character of the original building and do not adversely affect the overall character of the Green Belt. The replacement of existing dwellings may also be acceptable provided that the new dwelling is not materially larger.

E2 Green Wedges

Development will only be permitted in Green Wedges within the following categories:

- 1. Agriculture and forestry;**
- 2. Outdoor sport and recreation, including allotments;**
- 1. Nature conservation areas;**
- 2. Cemeteries;**
- 3. Essential buildings and activities ancillary to existing educational establishments within the Green Wedge;**
- 4. Public utilities where it can be shown that a suitable site outside the Green Wedge is not available.**

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~~7. The extension or alteration of existing dwellings and the erection of ancillary buildings.~~

~~Planning permission for categories 1 – 7 will be granted provided that:~~

- ~~a. The scale, siting, design, materials and landscape treatment maintain, and do not endanger, the open and undeveloped character of the wedge, its links with open countryside and its natural history value. Built development associated with categories 1 – 4 above will be small scale and essential and ancillary to the operation of the main use:~~**
- ~~b. The general proposals would not detract from an area where the open character of the green wedge is particularly vulnerable because of its prominence or narrowness; and~~**
- ~~c. The proposal would not lead to an excessive increase in numbers of people, traffic or noise.~~**

~~Planning permission will be granted for the conversion or change of use of existing buildings provided that criteria b and c above are met and that the building is suitable for the intended use without the need for extensive alteration, rebuilding or extensions.~~

~~Planning permission will be granted for the redevelopment of existing buildings in the green wedge for uses in categories 1 – 6 above and for the replacement of existing dwellings with new dwellings.~~

~~In exceptional circumstances, planning permission will be granted for the redevelopment of buildings other than dwellings for residential development, and supporting facilities, but only provided that the City Council is satisfied that the original buildings are genuinely redundant and surplus to requirements, and that the site adjoins nearby residential areas. For all development proposals, criteria a – c must be met and that the proposed building(s):~~

- ~~▪ Would not have a greater impact on the openness of the green wedge and the purpose of including land within it than the existing buildings;~~**

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- ~~• Would not exceed the height of the existing buildings; and~~
- ~~• Would not occupy a materially larger area of the site than the existing buildings, unless this would result in a reduction in height which would benefit visual amenity.~~

~~Planning permissions for the conversion or change of use of farm buildings will be subject to conditions to prevent a proliferation of additional farm buildings under permitted development rights.~~

~~9.5 It is a longstanding planning policy of the City Council to protect the open character of green wedges between communities by firmly resisting inappropriate development. Thirteen green wedges are defined in this Plan.~~

~~9.6 Green Wedges have two essential characteristics:~~

- ~~a. They have an open and undeveloped character;~~
- ~~b. They penetrate the urban area from the open countryside.~~

~~9.7 Their primary function is to define and enhance the urban structure of the City as a whole. Green wedges create a more attractive and interesting form to the overall pattern of development and bring the countryside closer to the City. The retention of areas of open land between separate parts of the City helps to maintain their identity and reduces the impression of urban sprawl. Some green wedges have an additional role of acting as 'buffer zones' between residential communities and industrial areas. All have important existing or potential recreational and ecological value. In addition, farming remains an important economic activity and extensive user of land in some green wedges. Green Wedges do not have the permanence of the Green Belt boundary around the city and are likely to be subject to review from time to time through the Local Plan process in order to meet future development requirements.~~

~~9.8 The proximity of green wedges to the built-up area and their narrowness makes them particularly vulnerable to development pressure. Green wedges are suitable for a range of activities but, by definition, land uses should have a predominantly green and open nature. Any built development should, therefore, normally be essential or ancillary in nature and be designed to minimise impact on the open character of the wedge. The main exception to this is where existing educational establishments have been included within green wedges in order to provide a satisfactory boundary to the wedge. Planning permission will be granted for essential buildings and activities ancillary to such establishments, subject to the impact on the wedge being minimised through careful siting and design. The main aim of this policy is to~~

~~maintain the openness of the Green Wedge. Planning applications for new buildings will be considered with regard to this objective.~~

- ~~9.9 The conversion or change of use of existing buildings can be acceptable within green wedges provided that it does not seriously affect the overall character or openness of the wedge. Such conversions can help to ensure that buildings remain in use and can help to diversify the rural economy. When granting planning permission for the conversion of agricultural buildings, the City Council will consider whether there is a need for conditions to prevent a proliferation of additional farm buildings that could be constructed under permitted development rights. New buildings or the change of use of land may be permitted in the interests of promoting farm diversification, provided the objectives of the policy are not compromised.~~
- ~~9.10 The extension or alteration of existing dwellings and other buildings may also be permitted provided that they are in keeping with the size and character of the original building and do not adversely affect the overall character of the green wedge. The erection of ancillary domestic buildings may be approved as long as they do not adversely affect the openness of the green wedge. The replacement of existing dwellings may also be acceptable in the green wedge provided that the new dwelling is not materially larger than the original dwelling.~~
- ~~9.11 From time to time, circumstances may arise where existing non-residential buildings in green wedges become redundant and pressure for redevelopment arises. Planning permission for residential development may exceptionally be granted on such 'previously developed' sites in green wedge locations, providing visual impact is minimised and the site is reasonably adjacent to existing housing areas.~~

~~E3 Protection of Best and Most Versatile Agricultural Land~~

~~The City Council will seek to protect the best and most versatile agricultural land from development except where the lower quality land is of landscape, wildlife or historic interest that outweighs agricultural considerations.~~

- ~~9.12 Best and most versatile agricultural land is defined as land in Grades 1, 2 and 3a of the Agricultural Land Classification. The Council will encourage developers to assess opportunities for sites to accommodate development on previously developed land and on land within the existing urban area before considering agricultural land. Where development of agricultural land~~

~~is unavoidable, developers will be encouraged to use areas of poorer quality land in preference to that in Grades 1, 2 or 3a. However, in some cases the release of higher quality agricultural land may be justified because of its particular advantages in providing sustainable forms of development.~~

~~Nature Conservation – Wildlife and Geological Sites~~

- ~~9.13 The protection of the City's "green heritage", or its biodiversity, is integral to the City Council's sustainable development objectives. The policies seek to take forward national and international obligations and strategies such as the UK Biodiversity Action Plan. They also reflect local strategies, including the Lowland Derbyshire Biodiversity Action Plan, and protect geological and geomorphological features identified as Regionally Important Geological Sites (R.I.G.S.).~~
- ~~9.14 The Derbyshire Wildlife Trust have advised the City Council on which sites meet the criteria for inclusion on the Derbyshire Wildlife Sites Register. The Register is recognised by local authorities in Derbyshire as the principal means of identifying sites of wildlife significance within the County.~~
- ~~9.15 This approach to the protection of nature conservation sites will ensure that a consistent set of standards are used for their protection. It will in turn assist the Derbyshire Wildlife Trust's assessment of such sites when consulted on the potential impact of development proposals.~~

~~E4 Nature Conservation~~

~~Development will not be permitted if it is likely to destroy or adversely affect, either directly or indirectly, sites of national importance for nature conservation, including the Boulton Moor SSSI.~~

~~Development will not be permitted which does not take proper account of the need to protect from adverse impact Wildlife Sites, including Local Nature Reserves and sites identified in Appendix B taking into account their relative significance.~~

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The City Council will require planning applications likely to affect any of the above sites to be accompanied by an analysis of the likely effects of the proposal on their nature conservation value and how these have been minimised. The City Council will seek to negotiate appropriate mitigating measures such as compensation, enhancement or long term management, for any damage likely to occur.

- 9.16 — ~~Policy E4 offers protection to sites of national importance, such as the Boulton Moor SSSI. Here the presumption will be to refuse development that might destroy or adversely affect them. Policy E4 also offers protection to Wildlife Sites which meet nationally recognised criteria and are included on the Derbyshire Wildlife Sites Register (DWSR). Sites included on the Register in 2002 are included in Appendix B and shown on the Proposals Map. However, some of these will change over time and new sites come forward as the DWSR is up-dated. Policy E4 will therefore apply to Wildlife Sites that meet the criteria for inclusion in the DWSR whether they are identified on the Local Plan Proposals Map or not. The City's designated Local Nature Reserves, geological and geomorphological features identified as Regionally Important Geological Sites (RIGS) are also included under this policy.~~
- 9.17 — ~~These sites make up the City's 'critical environmental capital' in terms of nature conservation. As such, they are considered irreplaceable if lost.~~
- 9.18 — ~~The Sinfin Moor Regionally Important Geological Site, lies within the two green wedges either side of a proposed industrial development at Sinfin Moor (EP1). It is part of a larger feature which includes existing built-up areas and the existing long-standing development proposal. However the parts within the green wedges provide examples of the structure of the feature for research and education purposes.~~

E5 — Biodiversity

Applications for new development on sites which have features of nature conservation interest will only be approved where provision is made for the retention of those features. These will include mature trees, established hedgerows and shrub areas, water features and geological resources, and other Biodiversity Action Plan priority habitats and priority species. Where the loss of significant features is unavoidable the City Council may require by condition, or seek to negotiate a planning obligation to secure, suitable mitigation to compensate for that loss.

9.19 — ~~Policy E5 offers general protection to other features of local importance, which do not meet the criteria for inclusion on the Derbyshire Sites Register. It aims to ensure that proper regard is had to features such as tree, hedgerows, or habitats wherever they may be found. It is important to protect not only the biggest and best biodiversity areas but also the small, ordinary features which are still of value to wildlife, add to people's quality of life and represent the City's 'constant natural assets.'~~

9.20 — ~~The City Council will seek development designs, which allow for the retention of features of biodiversity importance (trees, shrubs, water features etc). There may be occasions when some losses are unavoidable. As a result the City Council may require mitigation measures by condition (e.g. new tree planting on the application site). In exceptional circumstances the City Council may accept translocation of species and habitats; and will seek to negotiate a planning obligation to secure implementation and long-term management.~~

E6 — Wildlife Corridors

Planning permission will not be granted for development which would sever wildlife corridors, or otherwise severely undermine their value as wildlife routes. Proposals which reduce the size of any of these routes will only be allowed if they include suitable compensatory features for those which would be lost.

9.21 — ~~The strategic wildlife corridors shown on the Proposals Map link major 'green' areas and wildlife habitats. They allow wildlife to move through and~~

to penetrate into the City. These routes are much narrower and less prominent than green wedges, but still play a key role in terms of the overall wildlife network. Development should not sever or seriously damage any corridor. If corridors are reduced in size compensating features will be sought, for example, native species planting, to allow the corridor to continue to fulfil its function.

E7 — Protection of Habitats

Development which would materially affect sites supporting wildlife species protected by law will only be permitted where:

- a. — Proposals are made to minimise disturbance to, and to facilitate the survival of, the affected species on the site; or,**
- b. — An offer of the creation of alternative habitats is made, supported by a planning obligation, which would sustain the current levels of the species population.**

9.22 — Many locations unprotected by formal designations may contain the habitats of legally protected species including bats, barn owls and badgers. The presence of protected species is a material consideration in determining planning applications. The City Council may require developers to submit a full and detailed expert survey to determine the status of the population, the likely impact of the development and any mitigation and subsequent management that may be possible or necessary. All developers must have full regard to the 1981 Wildlife and Countryside Act (as amended), the Protection of Badgers Act 1992 and the Conservation Regulations 1994 implementing the EC Habitats and Species Directive. The City Council will consider the need for planning conditions, or planning obligations, in order to ensure that species are properly protected.

E8 — Enhancing the Natural Environment

The City Council will prepare, implement and encourage schemes to enhance the natural history value of open land, including public open space, natural history sites, and educational land. Schemes will include the creation of Local Nature Reserves.

9.23 — The City Council is committed to enhancing the visual and natural history value of open land in Derby. It has prepared 'Woodland' and 'Nature Conservation' Strategies to help achieve this objective. Action through the

project 'WildDerby' will also play a key part. Local Nature Reserves have been established at Chaddesden Wood, Oakwood and West Park Meadow, Spondon and others will be sought. When planning applications are considered, the Council may seek appropriate tree planting schemes or other improvements in the natural environment. The Design Note 'Nature Conservation on Development Sites' gives specific advice as to how this can be achieved. All schemes should take into account the targets set by the Lowland Derbyshire Biodiversity Action Plan.

E9 — Trees

Planning permission will not be granted for development which would seriously damage, destroy or compromise the long term retention of individual trees, groups of trees or areas of woodland which contribute to the amenity of an area. Conditions will be imposed on outline and full planning permissions to secure the protection of trees before and during development. The City Council will also declare new Tree Preservation Orders on appropriate trees and groups of trees.

9.24 — Trees are an important wildlife habitat and Policy E5 therefore protects mature trees for their biodiversity value. This policy gives additional protection where trees contribute significantly to visual amenity. It applies to important single trees, groups of trees and woodland. Long-term protection is best achieved by making a Tree Preservation Order at an early stage when sites are considered for development. It is often appropriate to use planning conditions to protect trees during development, for example, by requiring protective fencing and limiting the areas which can be used for storage and access.

9.25 — 'Woodland' has been defined as an area of land where mature trees, over 5 metres in height, form a more or less continuous canopy with a recognisable shrub layer and ground cover. A 'Woodland Audit' was carried out by the City Council in 1991. This identifies areas of woodland and assesses their quality. Woodland is a scarce resource in Derby and it represents an important wildlife habitat as well as a recreational and visual resource. Developments should not, therefore, result in the loss of woodland areas. The City Council will develop schemes to bring woodland into suitable management and will seek such schemes where appropriate when considering development proposals. Further guidance is contained in the City Council's Woodland Strategy.

Reducing Pollution and Waste

~~E10 Renewable Energy~~

~~Development proposals will have full regard to the need to reduce the net use of energy and shall:~~

- ~~• Ensure that construction methods and materials maximise opportunities for using recycled materials, conserving energy and generating energy from renewable sources such as solar energy.~~
- ~~• Ensure that the siting, design, layout and orientation of buildings has full regard to the need to reduce energy consumption and will facilitate use of renewable energy sources.~~
- ~~• Minimise the emission of greenhouse gases.~~

~~Planning permission will be granted for development required in connection with the generation of renewable energy provided that:~~

- ~~• The proposal would not have a material adverse effect on either the natural or built environment;~~
- ~~• The proposal would not inhibit the development potential of land allocated in the Plan for other uses;~~
- ~~• The benefits of the scheme in securing energy from a renewable source outweigh any adverse effects.~~

~~In considering applications, full weight will be given to the extent to which proposals would help to reduce emissions of greenhouse gases.~~

~~9.26 Renewable energy sources, such as the sun, wind and water, present opportunities to increase diversity and security of energy supply, and contribute to limiting emissions of greenhouse gases. The Government is committed to ensuring that renewable energy sources make an increasing contribution to UK energy supplies, with the hope of achieving a 10% target by 2010. In considering planning applications for renewable energy development, regard will be made to the objectives of the East Midland Assembly's Regional Energy Strategy. These sources can increase diversity and security of supply and reduce harmful emissions to the environment,~~

~~especially greenhouse gases. The City Council wishes to promote renewable energy sources but will have regard to their environmental implications, especially within sensitive areas. Weight will be given to the benefits in terms of reduced emissions when considering planning applications for renewable energy developments.~~

E11 Recycling Facilities

The City Council will seek to improve the provision of recycling facilities and services throughout the City. Where existing facilities are not available within 400 metres of proposals for superstores or large-scale leisure or residential developments, the City Council will seek to negotiate an agreement for their provision under Section 106 of the 1990 Act.

Where appropriate the City Council will, as an alternative, seek to negotiate a commuted sum to secure off-site provision or enhancement of recycling facilities in a manner which is designed to keep the overall number of car journeys made to a minimum.

- 9.27 In its Waste Strategy 2000 the Government set challenging targets for increasing recycling or composting of waste. The City Council is committed to achieving these and will seek the provision of more local recycling facilities. Encouraging the recycling of glass, cans, plastic and newspapers and other materials makes better use of natural resources and limits the need for landfill. Facilities sited in large-scale residential developments allow people to walk to them. For some sites, on-site facilities may not be practical. In such situations, a contribution will be negotiated to secure offsite facilities or to enhance existing ones within the neighbourhood. Recycling facilities at superstores and large-scale leisure developments can encourage linked trips to help avoid the need for special journeys and minimising car usage.

E12 Pollution

Planning permission will not be granted for development which would generate pollutants that would be unacceptably detrimental to the health and amenity of users of the development, users of adjoining land or the environment; or where the level of existing pollutants would be unacceptably detrimental to the health and amenity of users of the proposed development.

- 9.28 Adverse effects of development proposals in terms of air, water, noise, light or other forms of pollution are an important consideration in determining planning applications. Various agencies including the City Council itself, the Health and Safety Executive and the Environment Agency also have powers under other legislation to control pollution and will be consulted on relevant proposals. Developers should liaise with the Environment Agency.
- 9.29 In using its planning powers the City Council will seek to complement and not duplicate the work of other agencies. In line with PPS23 (Planning and Pollution Control) the focus of attention will be the location of the development and its relationship with surrounding land uses rather than the processes themselves. Many potentially polluting developments can be suitably controlled by other legislative regimes. However, the City Council will operate in accordance with the 'precautionary principle' as defined within Government advice. This principle essentially means that the Council will take a cautious approach to development proposals that might have pollution implications. The Council is aware of the need to ensure that national air quality standards are not breached and has declared a number of Air Quality Management Areas (AQMA's). Two AQMAs relate to the emission of nitrogen dioxide from road traffic. The other concerns the emission of particulate material from an industrial site in the City. Others may be designated. The Council will have regard to its statutory duties under the Environment Act 1995 and will give full consideration to the effect of proposed developments on the air quality within the designated AQMA's. The Council's supplementary planning guidance on the impact of development on local air quality will provide guidance for applicants for development of land within or near to the declared AQMAs in the City. Regard will also be had to the effect on water quality of developments near to the river, bearing in mind its importance for drinking water supply and as a high quality coarse fishery.

E13 Contaminated Land

Planning permission for development on contaminated or unstable land will be granted provided that the City Council is satisfied that the proposal would not cause adverse or hazardous effects and that any necessary remedial measures are carried out before development starts. Where it is known or suspected that land is contaminated, or unstable to an extent which would adversely affect the proposed development or the surrounding area, an independent investigation to the satisfaction of the City Council to identify remedial measures required to deal with the hazards, will normally be required before the application is determined.

- 9.30 The re-use of contaminated or unstable land can contribute towards the full and effective use of previously developed land in the City. However, the development of such sites can potentially raise health and safety concerns or harm the environment. Applicants must provide a full assessment of potential hazards and the measures necessary to counter these. This may, on occasion, involve a full Environmental Impact Assessment. Developers may need to liaise with the Environment Agency especially to establish the potential effects on water resources. Planning powers will be used to complement, and not substitute for, other legislative controls and will focus on land use issues. The Council will aim to ensure that sites which have been identified as contaminated are remediated to a standard that renders them “fit for purpose” and which ensures that there is no significant risk of significant harm to the environment or to controlled waters. The Council is compiling a Public Register of contaminated sites within the City and will, where appropriate, use its powers under Part 2A of the Environmental Protection Act 1990 to have contaminated sites remediated to an appropriate standard.

E14 Development in Proximity to Existing Operations

Planning permission will only be granted for development close to the following sites provided it is compatible with their reasonable operation and will not result either in unreasonable pressure to curtail their operation, or in new costly conditions or restrictions being imposed:

- 1. Rolls Royce test beds at Sinfin;**
- 2. Derby sewage works at Raynesway;**

Conditions may be imposed or legal agreements sought, requiring developments near the above sites to include permanent measures to protect future occupiers from potential nuisances from the above sites, or to limit future changes of use.

- 9.31 National planning guidance advises that local planning authorities should ensure that new developments are, as far as possible, not affected by existing essential activities which cause pollution. The advice recognises that pressures can arise for unreasonable expenditure, or even closure of the polluting development, which may not be in the public interest. This does not mean that measures should not be taken to lessen nuisance. However, as long as all reasonable steps are taken to limit the pollution, surrounding land uses should be compatible with the activity.
- 9.32 The engine test bed operations on the Rolls Royce sites result in very high levels of noise within their close vicinity. The City Council considers it important to the economic well being of the area that test bed operations should not be inhibited or curtailed as a consequence of new development being affected by this noise. It is considered that in areas where noise levels exceed 88 dB at 20 Hz, allowing new development not associated with Rolls Royce could lead to unreasonable pressure for curtailment of the operation of the test beds.
- 9.33 The Derby sewage works provides an essential service to the City. It does, however, produce some unpleasant environmental effects, which impact on areas nearby. The City Council considers that it is important that these essential services are not inhibited or curtailed as a consequence of development. Each case will be assessed on its merits, but on the basis of advice from Severn Trent Water, restrictions on some new land uses may be required within approximately 400 metres of the centre of the works.

- 9.34 It is unlikely that new residential development will be acceptable close to any of these sites. In the areas closest to the sewage works, applications for new developments which would result in significant numbers of extra people working or visiting a site, or involve sensitive processes (e.g. food preparation), will require very careful consideration. However, the redevelopment of, or extensions to, existing employment uses are not likely to be affected by this policy. The conditions or legal agreements that may be sought may include measures to adapt buildings to alleviate external noise or smell levels.
- 9.35 Severn Trent and Rolls Royce may be consulted on planning applications for development which could affect the operation of these sites.

E15 Protection of Mineral Resources

Planning permission will not be granted for development which would sterilise or prejudice the future working of important economically workable mineral deposits, except where there is an overriding need for the development and where prior extraction of the mineral cannot reasonably be undertaken or is unlikely to be practicable or environmentally acceptable.

Where the development of land for non-mineral purposes is considered essential, and proven mineral deposits would be permanently sterilised, the City Council will encourage prior extraction, provided this can be carried out without prejudice to the timing and viability of the proposed development and providing that it would not lead to unacceptable environmental problems.

- 9.36 Minerals Policy 4 of the Joint Structure Plan seeks to safeguard existing mineral resources from development which might prejudice their future extraction. Important minerals are a vital finite resource which cannot be replaced if their extraction becomes impossible as a result of development. The City Council will ensure that planning permission is not granted for proposals which would prevent the future extraction of such minerals. Within the City the sand and gravel reserves of the Derwent Valley are likely to be the only resources affected by this policy.

Landscape

~~E16 Development close to important open land~~

~~Planning permission will only be granted for development near to green belt, green wedges and wildlife corridors if adequate landscaping is provided to ensure that the visual amenities and special character of these open spaces is not adversely affected.~~

~~9.37 Policies E1, E2, and E6 of this Local Plan seek to protect and/ or enhance green belt, green wedges and wildlife corridors as important environmental resources. The City Council will seek to complement these policies by ensuring that developments which adjoin these areas include substantial landscaping schemes.~~

E17 Landscaping Schemes

In granting planning permission, conditions will be applied requiring the undertaking of landscaping schemes where these are necessary to meet the following objectives:

- 1. To assimilate the development into its local environment and surroundings;**
- 2. To screen obtrusive or unsightly features and minimise adverse visual impact;**
- 3. To retain and incorporate existing natural features such as trees and hedges; or**
- 4. To provide visual and ecological links between important environmental resources such as green wedges, public open space, sites of natural history importance and wildlife corridors.**

9.38 A high quality of landscaping is an essential component of an attractive living environment. Most applications for planning permission can be approved subject to the later receipt of satisfactory landscaping details. Such

landscaping schemes should accurately identify existing trees and shrubs to be retained, and new planting areas. They should include details of plant species, their size, densities in each bed, soil preparation and the location of existing and proposed services. Preference will be given to the planting of native species. In retaining existing natural features, designs and layouts should allow for long-term protection through to maturity. Management regimes will be sought where appropriate.

The Historic Environment

E18 Conservation Areas

The City Council is committed to the preservation and enhancement of areas of special architectural or historical interest and will continue to review the boundaries of existing Conservation Areas and designate new ones. The City Council will take into account the special architectural or historic interest of the area concerned, the character and appearance of which it is desirable to preserve or enhance. Assessments will include specific local factors and any unlisted buildings which contribute to the special interest of the area.

Within Conservation areas, development proposals, including changes of use and conversions, should meet the following objectives:

- a. Preserve or enhance the special character of the Conservation Area;**
- b. Encourage the physical and economic revitalisation of the Conservation Area; and**
- c. Ensure that the new buildings enhance the Conservation Area in terms of the siting and alignment of the buildings, the materials used and the mass, scale and design of buildings.**

Planning permission will not be granted for development which would be detrimental to the special character of Conservation Areas, including views into and out of them. Proposals for development and applications for Conservation Area Consent will not be approved where they would result in the demolition, or substantial demolition, of buildings that make a positive contribution to the character and appearance of a Conservation Area.

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Conservation Area Consent will be subject to conditions or a planning obligation to ensure that demolition does not take place until a contract for carrying out an approved detailed redevelopment scheme has been awarded. Where Conservation Area Consent is granted for the demolition of structures of historic interest, the Council will seek to ensure that provision is made for an appropriate level of building recording to take place prior to demolition.

- 9.39 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local authorities to designate any areas of special architectural interest as Conservation Areas. The City Council has so far designated 15 such areas. The Act also requires Local Authorities to establish consistent standards for designating Conservation Areas and to periodically review the boundaries of existing ones.
- 9.40 Many features come together to give these Conservation Areas their unique characters. Taken together, they are an important component of Derby's built environment from both an architectural and historic viewpoint. The need to preserve and enhance this character will be given special consideration in determining planning applications. Account will also be taken of the benefits of proposals in terms of both the physical fabric of these areas and their economic well-being. PPG15 (Planning and the Historic Environment) advises that there should be a presumption against the demolition of buildings that make a positive contribution to the character and appearance of Conservation Areas. Criteria for assessing such proposals are set out in PPG 15.
- 9.41 Many of the Conservation Areas are covered by directions under Article 4 of the Town and Country Planning (General Permitted Development Order 1995) (GPDO). Under an Article 4 direction the property owner is required to apply for planning permission to carry out works, such as replacement of windows, doors or roofing, which are normally 'permitted development' under the GPDO. The City Council can advise on which Conservation Areas are subject to Directions and the most suitable form of works.

E19 Listed Buildings and Buildings of Local Importance

Proposals for development, and applications for Listed Building Consent, will not be approved where they would result in the demolition of statutory listed buildings. Proposals will also not be approved where they would have a detrimental effect on the special architectural or historic interest of a statutory listed building, its character or setting. Exceptions will only be made where there is a convincing case for demolition or alteration.

The City Council will also seek to ensure the conservation of locally important buildings and structures, including those on its Local List, by encouraging their retention, maintenance, appropriate use and restoration. The Council will therefore not normally approve development proposals that would have a detrimental effect on locally important buildings or structures as a result of:

- a. demolition or part demolition,**
- b. inappropriate alteration or extension,**
- c. impact on its setting or context.**

In the case of buildings of local importance, applicants will be expected to demonstrate that all reasonable alternatives to demolition have been considered and found to be unrealistic.

Where proposals for alteration, extension or demolition would affect a listed building, or a locally important building or structure, and could involve a significant impact on the historic plan form or significant loss of historic fabric, applicants will be required to undertake an impact assessment before the application is determined. This should clarify the impact of the proposals on the building's historic fabric, character, appearance and setting as well as inform the design process.

Where development proposals are approved that would involve the demolition or alteration of a listed building, or locally important building or structure, which would result in the loss of historic fabric, the Council will ensure that provision is made for an appropriate level of building recording to take place prior to the commencement of works.

- 9.42 About 370 buildings in the City are statutorily listed as being of special architectural or historical interest. Listed building consent is needed for the demolition of listed buildings, or to carry out any internal and external alterations that affect the character of a listed building. Once historic features and other characteristics of listed buildings are lost, they cannot be replaced. The City Council, therefore, has a duty to pay special regard to the preservation or enhancement of the building, its setting, or any features of special architectural or historical interest which it possesses. PPG15 (Planning and the Historic Environment) advises that there should be a general presumption in favour of the preservation of listed buildings, except where a convincing case can be made out for alteration or demolition. The criteria set out in PPG15 will be used to assess any such proposals. Permission will only be granted for demolition or significant alterations where the scheme would result in substantial benefits to the community significantly outweighing the loss and where there is clear evidence that all reasonable efforts have been made to sustain existing uses or find viable new ones and that preservation in some form of charitable or community ownership is not possible or suitable. The City Council will expect applications for planning permission and listed building consent to be submitted simultaneously. In considering applications affecting listed buildings, the Council will consider the advice of statutory and local consultees.
- 9.43 There are also many unlisted buildings of architectural or historic importance in Derby which form a vital part of the City's heritage and which the City Council will seek to protect from harmful alterations or loss. Although the highest level of protection will be for buildings which are statutorily listed, an appropriate degree of protection will also be given to other buildings which, because of their age or other special qualities, form part of the City's heritage. Many of these buildings have been identified on the City Council's 'Local List' of buildings of local architectural or historical importance.

E20 Uses Within Buildings of Architectural or Historic Importance

Applicants for change of use of listed buildings, and locally important buildings and structures, will be expected to demonstrate that their proposals will contribute to its conservation in a manner which preserves or enhances its architectural or historic interest. In considering such applications, the City Council will seek to secure the retention, restoration, maintenance and continued use of the buildings or structures. In achieving this, the City Council will consider the original use as a first option for the building. If it is demonstrated that the original use is not viable or no longer appropriate, alternative uses that are compatible with the building will be considered.

- 9.44 The need to secure the retention, restoration and long-term viability of historic buildings will be an important factor in assessing planning applications. PPG15 acknowledges that generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use, particularly the use for which the building was designed. However, the City Council recognises that the upkeep of historic buildings will depend very much on the continued economic viability of their use. This viability may depend on securing a new use for the building. It may also mean taking a flexible approach to other issues. Consideration may, for example, be given to varying normal development control criteria, e.g. parking standards, in the interests of achieving conservation objectives. It is, however, important that new uses do not themselves prejudice or undermine other policies of the Plan, conservation objectives or adversely affect the surrounding area.
- 9.45 The City Council will, within the resources available, give sympathetic consideration to applications for grants to repair listed buildings under the Planning (Listed Buildings and Conservation Areas) Act 1990. It will also exercise its statutory powers to enforce the proper maintenance of listed buildings in the interests of the community as a whole.

E21 Archaeology

Planning permission will not be granted for development which is likely to adversely affect nationally important archaeological remains, whether scheduled or unscheduled, or their settings.

Where archaeological sites or monuments of more local importance, and their settings, are likely to be adversely affected by development, physical preservation in situ will be the preferred option and applications may be refused.

Within the Archaeological Alert Areas, or other areas of archaeological potential where the City Council considers that a proposed development will affect remains of archaeological significance, applicants will be required to provide the results of an archaeological evaluation before the planning application is determined in order to enable an informed and reasonable planning decision to be made.

The evaluation should comprise:

- a. an archaeological assessment of the archaeological impact of the proposed development, which may include a field evaluation of the site, undertaken in accordance with a written specification agreed with the city Council; and**

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- b. a written mitigation strategy prepared to the satisfaction of the City Council demonstrating how the impact of the proposed development on archaeological remains will be alleviated.**

Where, following an archaeological assessment, the Council considers that the need for development outweighs the need for preservation in situ of the archaeological remains, conditions will be attached to planning permissions, or developers required to enter into legally binding agreements with the City Council, to secure an appropriate programme for the investigation and recording of archaeological remains prior to and during development, and for the subsequent analysis and publication of results.

Where appropriate, the City Council will seek to secure the enhanced management and preservation of archaeological sites and their settings.

- 9.46 Archaeological remains and their settings are an important part of Derby's heritage. Some have already been designated as Scheduled Ancient Monuments and are protected by law. Many unscheduled remains are also of national or local significance and will be protected from loss or damage wherever possible. Archaeological remains are found above and below ground and include structures, landscapes and environmental deposits. Details of known remains can be found in the Sites and Monuments Record (SMR).
- 9.47 Archaeological Alert Areas have been drawn around those areas which current research suggests are of high archaeological potential and are shown on the Proposals Map. For this reason, development proposals here should be accompanied by an archaeological assessment and mitigation strategy. This should be carried out by a qualified professional archaeologist to an approved written specification. Developers are advised to discuss proposals within the Archaeological Alert Areas, or affecting Scheduled Ancient Monuments, with the City Council's archaeology advisors at an early stage. Developers are also advised to discuss their proposals with English Heritage where they would affect Scheduled Ancient Monuments.
- 9.48 Where the City Council has good reason to believe that important remains exist outside the Archaeological Alert Areas, an archaeological assessment and mitigation strategy will also be required. Only where the City Council considers that archaeological remains are unlikely to exist, or are likely to be of limited importance, will this requirement be waived in favour of a Watching Brief.

- 9.49 Archaeology is a non-renewable resource. PPG16 (Archaeology and Planning) advises that important remains be preserved 'in situ' wherever possible. This ensures physical preservation for the benefit of future generations.
- 9.50 Preservation 'in situ' will usually be required in order to ensure the complete survival of archaeological remains. However, in exceptional circumstances, the need for development may be considered to outweigh the preservation of the archaeological remains 'in situ'. In such cases, very careful investigation, recording and excavation of remains including the publication of the results of any work will be required. The level of action required will correspond to the relative importance of the remains.

E22 Historic Parks and Gardens

Development will not be permitted which harms the character or setting of registered historic parks or gardens, within or close to the City, or their relationship with any buildings with which they are historically linked. The City Council will also seek to secure the retention, restoration, maintenance and continued use of locally important historic parks and gardens.

Where the City Council considers it necessary, it will require planning applications for development affecting either registered or locally important historic parks or gardens to be accompanied by an analysis of impact. Planning permissions may also require development to be carried out in a particular way, or for other measures to be taken to limit effects. Where the need for development is considered to outweigh the need to preserve the feature, developers will be required to ensure that any effects are minimised and that proper recording takes place.

- 9.51 This policy covers parks and gardens of particular historic interest where special protection is needed to ensure their survival and integrity. The aim is to protect not just the quality of the landscape, but also its relationship to any buildings, which are historically linked. The only Derby park that is of national historic importance is the Arboretum, which was the first public park in the country. The Nottingham Road Cemetery and the Uttoxeter Road Cemetery are registered as Parks and Gardens of Special Historic Interest, and there are several other sites in Derby with potential for designation. English Heritage and the City Council will consider whether further national or local designations should be made.

- 9.52 The City Council will usually require planning applications affecting historic parks or gardens to be accompanied by an analysis of the likely impact of the proposal. Any planning permissions may require development to be carried out in a particular way, or for other measures to be taken to limit any effects. Where the development cannot be undertaken without seriously damaging an important setting or landscape, permission will usually be refused. In some circumstances, the need for development may be considered to outweigh the need to preserve the feature. In such cases, developers must ensure any effects are minimised and that proper recording takes place so that evidence of the feature is at least retained.
- 9.53 This policy also seeks to protect the settings of parks outside the City boundary, where development in the City would impact on them.

Design and Security

E23 — Design

~~The City Council will expect proposals submitted for planning permission to be of a high standard of design and to complement the surrounding area in which the development would be located. The City Council will provide clear indications of the Planning Authority's design expectations by means of specific design guidance for key sites. The guidance will concentrate on broad matters of overall scale, density, massing, height, landscape, layout and access.~~

- ~~9.54 This policy will help to maintain and enhance the physical appearance of all parts of the City. The aim is to create attractive and visually stimulating street scenes and provide a high standard of design throughout the City, and where appropriate, reinforce local distinctiveness. Modern innovative designs of quality will be welcomed. Potential development sites visible from transportation routes often form 'gateways' into the City and can be very prominent. It is important that the standard of design on these sites is of a suitably high quality. 'Important visual edges' can be defined as those parts of a site on which built frontages should be of a particularly high standard of design. The City Council will prepare specific urban design guidance on key sites.~~

E24 Community Safety

New development will provide a safe and secure environment and take full account of the need for community safety and crime prevention measures. In considering development proposals, the City Council will have particular regard to their design, layout, lighting arrangements, landscaping proposals and the extent to which they encourage lively, attractive and welcoming environments.

- 9.55 The design of buildings, landscaping, footpaths and open spaces can influence the actual and perceived safety of developments. Particular attention should be paid to maximising opportunities for natural surveillance. The inclusion of windows, or other forms of opening, at ground floor level which face onto the highway will be encouraged. Large areas of blank, solid wall are unacceptable. The City Council will adopt area-based strategies and seek to enter into early discussions with developers and the Police Architectural Liaison Officer to help achieve these objectives. Where appropriate, the use of closed circuit television cameras and the preparation of supplementary planning guidance will be considered.

E25 Building Security Measures

Planning permission will be granted for building security measures provided they:

- a. Are sympathetically designed in relation to the building and its setting; and**
- b. Allow a good level of visibility into the premises and a good level of light penetration from the building into the street.**

- 9.56 The Council recognises that it is important that local businesses are able to secure their premises against potential vandalism, damage and theft. However, these measures should not adversely affect the quality of the street scene, especially in Conservation Areas, or reduce the overall vitality of a shopping area. The City Council supports measures to enhance the urban environment of the City Centre and to improve its overall ambience. Extensive areas of shop fronts which are covered by solid shutters create an unattractive and uninteresting environment outside shopping hours.

E26 Advertisements

Advertisement consent will be granted provided that the advertisement:

- a. Is acceptable in terms of its impact on the local environment and does not detract from the appearance, character or setting of any building on which it would be displayed, particularly where the building is listed or where it lies within a Conservation Area; and**
- b. Does not have an adverse effect on pedestrian or vehicular traffic safety.**

Proposals for the erection of small-scale poster display boards will be permitted where they would not detract from the appearance or character of the street scene.

Larger poster display boards will only be permitted where they would:

- 1. Help to screen land which would otherwise appear unsightly**
- 2. Obscure an unsightly wall thereby improving the appearance of the street scene.**

9.57 Advertisements play an important role in the visual environment of the City. The Town and Country Planning (Control of Advertisements) Regulations 1992 allows for many types of sign to be erected without the express consent of the City Council. Where consent is required, the needs of businesses to advertise must be recognised. However, at the same time care must be taken to ensure that the form and design of advertisements does not detract from the quality of the street scene. It is especially important to protect the character of conservation areas and to ensure that listed buildings and their settings are not adversely affected. It is also important that advertisements do not distract the attention of drivers, cyclists or pedestrians.

9.58 The erection of permanent poster display boards is not generally compatible with the City Council's desire to improve the City as a whole. However, it is recognised that in some circumstances poster display boards can be erected on a long-term basis without seriously affecting the local environment. Such cases exist where the poster screens an existing unsightly piece of land or wall and can actually have a beneficial effect on the surrounding environment.

E27 — Environmental Art

The Council will encourage the incorporation of environmental art where it will contribute to the quality and appearance of new developments or to the general townscape.

Where appropriate, the City Council will seek to enter into an obligation under Section 106 of the 1990 Act to provide the voluntary commissioning of a work or works of art with the developers of major commercial, industrial, leisure and residential schemes.

- 9.59 Environmental art can improve an area's general environment, appearance and character. It can provide an opportunity for commissioning local artists and craftspeople and of local community involvement. It can also help to promote economic development by improving the City's image to potential investors. Environmental art can range from permanent or temporary freestanding statues, structures and sculptures to detailed features on buildings, specially designed walls or railings and using a variety of materials.
- 9.60 As a general rule, major development in this case is defined as a gross floorspace of 1000 square metres or more, or a site area of 1.0 hectare or more for commercial, industrial and leisure uses. Major residential development would be 100 dwellings or more. The City Council has adopted a 'Percent for Art' scheme which seeks to ensure that a proportion (ideally 1% or more) of the cost of new development is allocated to commissioning new works of environmental art. Not all works of art will be suitable for all locations and each proposal will need to be judged on its merits and in terms of the effect it would have on its surrounding area. However, a quality piece of art cannot make an overall poor development proposal acceptable. Special care will be taken in assessing any effect of works of art on Listed Buildings and Conservation Areas. All proposals for works of art will be assessed in accordance with the Council's Public Art Strategy and its long term management plan.

E28 Telecommunications

Planning permission will be granted for telecommunications developments provided that:

- a. The development is sited and designed to minimise visual impact on residential areas and other sensitive areas protected by the Plan;**
- b. New ground based installations will only be permitted where it can be shown that there is no reasonable prospect of erecting antennae on existing buildings or structures or of sharing mast facilities;**
- c. There is no clear evidence that significant electrical interference will arise for which no practical remedy is available.**

In considering applications, full weight will be given to the need for efficient development of the communications network, the limitations on siting and design imposed by the technology and the wider environmental benefit that may result from development.

In considering applications for the siting and design of large prominent structures, the potential for physical interference with telecommunications services will be taken into account.

9.61 Minor telecommunications development is permitted under the Town and Country Planning General Permitted Development Order 1995. For larger developments, and in sensitive locations, visual impact will normally be the primary environmental consideration. Height, materials, colours and the scope for landscaping and screening will be taken into consideration in assessing visual impact. PPG8 advocates the use of existing buildings and the sharing of masts to help keep visual impact to a minimum. Concerns have been expressed about the possible health risks of telecommunications development. Current Government guidance is that these issues should not be given weight in determining planning applications where they meet international radiation guidelines. However, if further research or national guidance conclusively indicates that health issues should be taken into account, the Council will give them weight when assessing the environmental acceptability of proposals. Finally, it is important to bear in mind the possibility that proposals for tall structures could have an adverse effect on television and other communication services due to physical obstruction of signals.

World Heritage Site

E29 — Protection of World Heritage Site and its surroundings

Within the area designated as a World Heritage Site, proposals which would have an adverse effect on the special character of the area will not be allowed. Planning permission will only be granted for developments, including changes of use and conversions, which meet the following criteria:

- a. — To preserve and enhance the special character of the area;**
- b. — To encourage the physical and economic revitalisation of the area; and**
- c. — To ensure that new buildings enhance the area in terms of siting and alignment of new buildings, the materials used and the mass, scale and design of buildings.**
- d. — To ensure that new development does not harm and where possible conserves and enhances the biodiversity of the area.**

Significant development proposals will require special scrutiny.

Proposals for development outside the World Heritage Site, but within the World Heritage Site buffer zone will only be approved if they do not have an adverse effect upon the World Heritage Site or its setting, including views into and out of the site.

9.62 — The World Heritage Convention provides for the identification, protection, conservation and preservation of cultural and natural sites of outstanding universal value. Whilst no additional statutory planning or other controls follow from the inclusion on the list of World Heritage Sites, Government advice in PPG15 states that inclusion highlights the outstanding international importance of the site and that this is a key material consideration to be taken into account in planning decisions. It states that inclusion highlights the outstanding international importance of the site as a key material consideration to be taken into account in planning decisions.

9.63 — The World Heritage Site stretches from Masson Mill at Matlock Bath in the north to Derby Industrial Museum (formerly Silk Mill) in the south. Within the City, the site includes the Industrial Museum, Darley Park, the Darley Abbey

~~Conservation Area, which includes the mill complex and factory village, and St Matthews Church. The site as a whole has been designated due to its importance in the development of the Industrial Revolution.~~

~~9.64 The need to preserve and enhance the special character of the area will be given special consideration in determining planning applications in the area. Account will be taken of the benefits of proposals in terms of both the physical fabric of the area and its economic well-being. The designated site and its setting have been given protection by the definition of a buffer zone. Within the buffer zone proposals will only be approved where they do not have an adverse effect on the designated site or its setting.~~

~~9.65 The Management Plan considers the main issues affecting the site and suggests objectives and programmes of action for the co-ordinated management of the area. In light of the inscription of Derwent Valley Mills as a World Heritage Site, the Council intends to incorporate planning aspects of the World Heritage Site Management Plan in future Supplementary Planning Documents.~~

E30 Safeguarded Areas around Aerodromes

Within the safeguarded area new development will only be permitted where it will not result in a serious safety hazard to aircraft. In considering applications for planning permission the Council will have particular regard to:

- a. the height and design of the development;**
- b. the likelihood of it creating a bird hazard;**
- c. the likely impact on navigational aids, radio waves and telecommunications systems for the purposes of air traffic control and aircraft movements.**

9.66 The aim of this policy is to ensure that development is not permitted that would be likely to result in a safety hazard to aircraft. In implementing the policy, the City Council will have regard to the defined safeguarded area around the Nottingham East Midlands Airport. As can be seen from the Proposals Map, most of the City of Derby, with the exception of Allestree, Mickleover and Mackworth, lies within this area. It is intended to ensure that development proposals within the area are properly scrutinised in terms of potential safety issues.

9.67 In applying the policy, the City Council will consult the owner/ operator of the airport. The Joint Circular 01/2003 identifies certain forms of development

that will need special scrutiny. This would comprise developments which are over 90 metres in height, are likely to attract large numbers of birds, are connected with an aviation use or involve wind turbines. The Council will also give consideration to the potential for interference with navigational equipment and traffic control systems.

10. Leisure & Community Services

Introduction

- 10.1 Public demand for facilities to meet sporting, recreational and community needs is increasing. National planning guidance in PPG17 (Planning for Open Space, Sport and Recreation) places emphasis on protecting open spaces of recreational value and using the planning system to promote sport and informal recreation. The Joint Structure Plan sets out locational principles to guide the development of leisure facilities. It seeks to retain and increase the range of facilities especially in the inner areas of Derby and to protect and develop public open space in the urban area as a whole.
- 10.2 The Local Plan Review carries forward the successful strategy for public open space contained in the 1998 Plan. It continues to protect parks and other public open space, setting out standards for provision, and makes new proposals where deficiencies exist and opportunities are available. It carries forward policies to protect playing fields and allotment gardens. Guidance for the location of major built leisure facilities incorporates a sequential approach similar to that used for retail proposals. There are specific policies for the Derbyshire Cricket Ground and the restoration of the former Derby and Sandiacre Canal. Finally the Chapter includes policies to guide the development of new community buildings and to protect existing facilities.

Parks and Open Space

L1 Protection of Parks and Public Open Space

Within areas of public open space, planning permission will not be granted for any proposal other than those associated with the provision of leisure or recreational uses of an open nature, unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements.

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~~New structures or buildings will only be permitted if they are ancillary to a use acceptable in terms of this policy and are of a size and scale which would respect the character of their setting. Such buildings will normally be of a domestic scale.~~

~~10.3 This policy applies to all open spaces laid out as a public garden, or used for the purposes of public recreation or land which is a disused burial ground. This definition is derived from that established in the Town and Country Planning Act 1990. It forms one element of open space of public value (OSPV) defined in PPG17 (Planning for Open Space, Sport and Recreation). Public Open Space can be held in either public or private ownership, but is freely accessible to the public at all reasonable times. It can range from small areas within housing sites through to large City Parks and provide informal recreation or formal facilities such as sports pitches. It can help promote healthier lifestyles as well as being an attractive part of the urban environment in its own right.~~

~~10.4 The total amount of open space in the City is below the overall standard set in Policy L2. It is therefore important to protect public open space, especially as its loss is usually irreversible. Alternative uses of public open space will only be permitted where it can be demonstrated that there is a surplus of suitable land that can serve as public open space.~~

~~10.5 The scale of the Proposals Map makes it difficult to show small open spaces clearly. For this reason, only those areas of more than 0.4 hectares are identified on the Map. New areas of public open space will also become available over the course of time, especially as new housing sites are developed. Again, it will not be possible to show these on the Map until the relevant policies are reviewed. However, the policy applies equally to all areas as defined above.~~

~~L2 Public Open Space Standards~~

~~In considering applications for planning permission, and in making provision for parks and public open space, the City Council will have regard to a minimum standard of 3.8 hectares per 1,000 population. Provision will be regarded as adequate where it is comprised as follows:~~

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- a. Incidental public open space of 1.4 hectares per 1,000 population;**
- b. Major open space of 2.4 hectares per 1,000 population for public use.**

Where public open space is provided, the City Council will ensure that it is of a size and form that is capable of meeting local needs and is located to maximise accessibility to its catchment population.

10.6 The minimum public open space standard set out in this policy will be used to assess the adequacy of existing provision and the need for additional space in association with housing schemes. The standard is based on the National Playing Fields Association's recommendations for active play space, with additional allowances for informal and passive recreational activities and amenity open space.

10.7 The standard has both a major and an incidental public open space component. Major public open space should be in the form of Neighbourhood, District or City parks. Incidental public open space provides for the more immediate needs of residents, such as local children's play areas and small amenity areas (excluding adopted highway verges) within housing areas. In assessing provision, land used for indoor leisure uses, stadia, golf courses and other open spaces not legally accessible to the public will not be included.

10.8 In implementing this Policy, the City Council will have regard to the following hierarchy:

- a. City Parks - More than 60 hectares serving a catchment of around 5000 metres. These provide a wide range and high standard of complementary facilities of broad interest to visitors.
- b. District Parks - Between 20 and 60 hectares serving a catchment of around 1200 metres. These provide a more local function than City Parks, but should still contain a reasonable range of facilities for children's play and adult recreation.
- c. Neighbourhood Parks - Between 2 and 14 hectares serving a 400 metre catchment. These provide for people's daily informal sport and recreation needs and should contain children's play facilities, kick-about areas, sports pitches, where space allows, and pleasant seating areas.

d. ~~Incidental Public Open Space – Less than 2 hectares serving a 200 metre catchment. In addition to improving residential amenity, these may contain a pleasant sitting area or playground.~~

~~10.9 A list of the existing City, District and Neighbourhood Parks can be found in Appendix C.~~

~~10.10 When calculating provision, account will be taken of the catchment areas of existing parks and the population within them. Assessments should also consider quality, accessibility and shape to ensure that an area of public open space can perform its intended function. Once built upon, open space is likely to be lost to the community forever and so, in considering planning applications for the development of open space, the City Council will take into account the long-term impact of its loss.~~

~~10.11 The City Council intends that children's play needs should be accommodated within housing areas as part of incidental open space provision. Adult facilities, including sports pitches, will be provided within parks or major open space. Detailed information on how to apply these public open space standards is set out the Council's Supplementary Planning Guidance "Public Open Space Standards for Housing Areas – Provision by Developers".~~

~~L3 Public Open Space Requirements in New Development~~

~~Where housing development would generate needs for additional public open space and related facilities, planning permission will only be granted if public open space is provided to meet those needs. Provision of incidental open space will only be sought from developments of 10 or more dwellings. Provision of major open space will only be sought from developments of 25 or more dwellings and will normally be provided off-site in the form of City, District or Neighbourhood Parks.~~

~~In circumstances where suitable land for public open space is not readily available to a developer, or where public open space cannot be satisfactorily incorporated into a development, the City Council may, as an alternative, accept an index-linked payment based on the cost to it of acquiring, laying out and equipping land.~~

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~~The requirement for open space may be reduced where this would facilitate higher quality development and higher densities on previously developed sites, especially where these are closely related to the City Centre, the railway station and to public transport interchanges. In such cases, the City Council will require a very high quality treatment of the open space that is provided. However, it is not likely that open space standards will be relaxed in areas that are deficient in public open space.~~

~~10.12 Housing development will usually generate a need for public open space which can be quantified by reference to the standards in Policy L2. This policy, therefore, sets appropriate thresholds at which provision of incidental and major public open space is required.~~

~~10.13 Residents will not benefit from a new or improved public open space if it is inaccessible to them. However, there is limited land available within the urban area. Where previously developed land is being regenerated, or existing buildings converted, it may not always be possible to provide the required amount of new public open space in an accessible location. The Council may, as an alternative, accept funds to ensure that public open space needs are met as far as possible. Measures may include relieving pressures on existing space by providing facilities elsewhere and improving the quality of existing space, including its accessibility. Priority for access improvements will be given to meeting the needs of pedestrians, cyclists and public transport users. The Council will also apply its standards flexibly to encourage the development of top quality, high density housing schemes on centrally located previously developed sites. This may therefore mean that open space standards are relaxed where this will genuinely help implementation. In considering such cases though, the Council will have regard to the need to address serious deficiencies in open space provision and will be less likely to relax standards in areas that are deficient. If open space requirements in terms of area are relaxed for such sites, a very high standard of provision will be expected in terms of quality.~~

~~10.14 The City Council will require public open space and related facilities to be provided in a comprehensive manner in housing schemes. Where sites are sub-divided, brought forward incrementally or are located close to each other, provision will be co-ordinated. The City Council will normally seek a Section 106 Obligation with all relevant parties. Further guidance is contained in "Public Open Space Standards for Housing Areas – Provision by Developers" published by the City Council.~~

L4 New or Extended Public Open Space

The following sites are allocated for new or extended public open space:

City Parks:

- 1. 46 hectares of land to the east of Moorway Lane, Littleover;**
- 2. 7.9 hectares off Markeaton Lane to form an extension to Markeaton Park;**
- 3. 2.4 hectares off Woodlands Lane to form an extension to Allestree Park.**

District Parks:

- 4. 25 hectares from Merrill Way, Sinfin to Sinfin Moor Lane, Shelton Lock which absorbs Whitehouse Farm Open Space and Fullen's Lock Park;**
- 5. 12.5 hectares south of Moor Lane, Sinfin to form an extension to Sinfin Park, Sinfin;**
- 6. 12.4 hectares north of Onslow Road, Mickleover;**
- 7. 12.2 hectares to form an extension to Mackworth Park, west of Kingsway roundabout and including the former railway line and land to the north;**
- 8. 6.9 hectares off Moorway Lane and Greenfields Avenue to form an extension to King George V Playing Fields/Clemson's Park, Littleover.**

Neighbourhood Parks:

- 9. 8.6 hectares east of Acorn Way, Spondon;**
- 10. 13.2 hectares to link Oregon Way Recreation Ground and Windmill Hill Plantation, Chaddesden;**
- 11. 11.5 hectares incorporating Darley Abbey Tip, Nutwood and land adjoining South Avenue, Darley Abbey;**

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- 12. 8.9 hectares of land north of Allan Avenue and adjoining the A38/A516 and Mickleover Golf course;**
- 13. 8 hectares to form an extension to Pit Close Lane Recreation Ground, Chellaston;**
- 14. 1.04 hectares of land adjoining the existing public open space north west of Harrow Street, Wilmorton.**

Other Areas:

- 15. 3 hectares of former railway land to the rear of Inglewood Avenue Open Space, Mickleover;**
- 16. 1.6 hectares of land as an extension to the Waterford Drive Play area, Chaddesden;**
- 17. 0.6 hectares of land at Holloway Road, Alvaston;**
- 18. 5.9 hectares of land to extend southwards of the existing public open space to the rear of Kedleston Grange, off Kedleston Road, Allestree.**

10.15 In drawing up the proposals set out in Policy L4, regard has been had to the Council's "Strategy for Parks", the Parks hierarchy and the standards in Policy L2. The City Council will endeavour to acquire the necessary land, although housing developers will be expected to help implement some of these areas as part of their major open space provision.

10.16 The following comments can be made regarding the individual proposals included under L4:

1. This land is proposed as a major part of a new City Park in this area of the City. Although it is below the required size for a City Park, the opportunity exists for additions to this area in the future. Part of the park has already been provided through the open space contributions of nearby housing developments and more will be implemented from this source.
2. The land at Markeaton Park will be brought into public use for informal recreation when it is no longer required by the current agricultural tenant. Regard will be paid to the proximity of the land to the crematorium and its grounds.

3. The site is owned by the City Council and leased out as grazing land. The Council will bring the land into public use when it is no longer needed by the current tenant.
4. There is a need for a District Park in the Shelton Lock/Chellaston area. Part of the proposal is likely to be provided through the open space contributions of the housing sites H5 and H10.
5. The proposed extension will assist in raising Sinfin Park to full District Park standards. 1.2 hectares on the east of the site is to be provided in association with the development of employment site EP1.
6. There is a need for a District Park to serve Mickleover. This proposal adjoins land at Onslow Road, already used as public open space.
7. This land would extend Mackworth Park to the west. It is intended that further public open space will be laid out to the south of this allocation on land within the University Campus as part of the redevelopment of part of this site for housing under Policy H4. This will form a public open space between Mickleover and Mackworth.
8. There is a need for a District Park to serve Littleover. This extension to King George V Playing Fields/ Clemson's Park will raise the park to this standard. It will be provided in association with the completion of housing development at Heatherton (Policy H7).
9. The Strategy for Parks continues to identify a need for a District Park to serve the Spondon area. The implementation of such a large area does not seem likely within the Plan period. However, there is potential to implement facilities in part of the green wedge to the west of Spondon as a Neighbourhood Park with the potential of extension in the future. The Council recognises that the design and layout of the park will need to have regard to the privacy, access and security of properties in the locality, particularly the smallholdings to the north of the site.
10. This land will form an open space system in the green wedge between Spondon and Chaddesden.
11. The former Darley Abbey Tip has been reclaimed but is unsuitable for agricultural use or built development. The Tip and adjoining Nutwood have been identified together as a site of importance for nature conservation. Public access to these sites would be desirable providing nature conservation interests can be safeguarded.
12. There is a need for a Neighbourhood Park in this area. Land adjoining Mickleover Golf Course is capable of meeting this need.
13. The use of this former tip for public open space would create an extension to Pit Close Lane Recreation Ground subject to the satisfactory treatment of methane and reclamation of the site.

14. As part of the Pride Park development and associated road works, land has been added to the Wilmorton open space near Harrow Street. When the development/laying out of this land is complete, it will be formally adopted as public open space.
15. In association with the development of a cycleway along the former railway line, a linear open space will be created linking to open space at Inglewood Avenue, Mickleover.
16. The addition to the Waterford Drive Play Area will help to create an open space buffer between the A52 and the housing development to the north.
17. This site was formerly part of the grounds of the Boulton Primary School but is now surplus to educational requirements. The area is needed as public open space to help alleviate identified deficiencies in this part of Alvaston.
18. Land to the west of Kedleston Road, Allestree will be provided as the open space contribution by developers of the adjacent housing site.

L5 Outdoor Recreation

On the following sites planning permission will only be granted for leisure and recreational uses of an open nature and essential small scale ancillary buildings:

- 1. 30.8 hectares east of Allestree Park;**
- 2. 25.5 hectares south of Chaddesden Sidings, north of the River Derwent upon completion of mineral extraction works;**
- 3. 19.3 hectares of land to the north of Chaddesden Wood, Oakwood;**
- 4. 6.8 hectares at the former Sturgess School and adjacent playing field;**
- 5. 4.3 hectares of land off Megaloughton Lane, Spondon on completion of tipping operations, subject to Policy E14;**
- 6. 3.8 hectares at Cotton Farm for inclusion into Sinfin Golf Course.**

- 10.17 These sites provide a range of opportunities to create leisure and recreational uses of an open nature, such as private sports pitches or golfing facilities. Most lie within green wedges and proposals will therefore have to comply with the requirements of that policy.

~~L6 Sports Pitches and Playing Fields~~

~~Planning permission will not be granted for development which would involve the loss of land previously or currently used for sports or recreational purposes, including playing fields associated with educational establishments unless:~~

- ~~a. The facilities now provided can be fully retained or enhanced through the development of only a small part of the site; or~~**
- ~~b. The alternative provision of another site of the same or better facilities in terms of community benefit is implemented before the commencement of development; or~~**
- ~~c. It is demonstrated to the satisfaction of the City Council that the site is not required to be retained for sports or recreational purposes and there is an excess of suitable sports pitch and open space provision in the area.~~**

- 10.18 ~~A Playing Fields Needs Assessment Study, jointly carried out by the then Regional Council for Sport and Recreation and local authorities, has identified quantitative deficiencies in terms of sports pitches in Derby. A full playing pitch assessment was carried out in summer 2001 and the findings of this assessment will feed into the Council's Sports Strategy~~

- 10.19 ~~Private facilities, including school pitches, are recognised as playing an important role in sports provision and in raising amenity standards. The Government's plan for sport "A Sporting Future for All" highlights the importance being placed on community (joint use) of school sports fields. Although not taken into account in applying the standards of Policy L2, provided there is some degree of public access they can help to offset deficiencies in public open space provision.~~

- 10.20 ~~The Proposals Map only shows the main private sports facilities covered by this policy. There are numerous other facilities in Derby, which are similarly protected, including playing fields at educational establishments and small private clubs. Any assessment of "need" carried out under this policy should~~

~~include an assessment in terms of the relevant policies of the Local Plan, particularly L2.~~

L7 Derbyshire County Cricket Ground

Planning permission will be granted for improved ground and cricket facilities at the Derbyshire County Cricket Ground north of Pentagon Island. In exceptional circumstances, planning permission will also be granted for business development (Use Class B1), food and drink uses (Use Class A3) and a hotel (Use Class C1) provided that it can be demonstrated that these are necessary to enable the above improvements to take place. Developers will be required to provide or undertake an archaeological assessment of the site.

- 10.21 The City Council supports the principle of improvements to the County Cricket Ground. These will help the Cricket Club compete more effectively at a national level and increase the profile of Derby as an important cricket venue. The emphasis of the policy is therefore on improving facilities for spectators and cricketers. However, permission for commercial development may exceptionally be justified to facilitate such improvements.

Leisure Development

~~L8 Leisure and Entertainment Facilities~~

~~Planning permission will only be granted for the development of leisure and entertainment facilities, including major outdoor grounds, (Use Class D2) provided that:~~

- ~~a. There would be no unacceptable loss in quantitative or qualitative terms of land allocated in the Plan for other uses;~~
- ~~b. Business activity in the area is not unduly inhibited;~~
- ~~c. The site is well served by public transport and is accessible to pedestrians and cyclists; and~~
- ~~d. A sequential approach to site selection is demonstrated. First preference should be for sites and buildings in the City Centre, Normanton Road/Pear Tree Road Linear Centre, District Centres and Neighbourhood Centres, depending on the nature and catchment of the proposal.~~

~~Second preference is for suitable edge-of-centre sites and only then off-centre sites where these are well related to the public transport network and to existing locations catering for large numbers of visitors which provide opportunities for linked trips. In applying this test, the City Council will have regard to any special needs of leisure activities.~~

~~For proposals on sites which are not identified for leisure or entertainment use and are outside the centres of the hierarchy defined in Policy S1 and Appendix D, applicants will be expected to demonstrate a need for the proposed development.~~

~~10.22 Leisure and entertainment facilities increase the attractiveness of Derby as a place to live and visit. They also provide an important part of the City's overall tourism "offer". In line with national planning guidance and the Joint Structure Plan, the policy includes a sequential approach to site selection. The City's existing centres, by virtue of their accessibility to all social groups and by a wide range of non-car transport modes, are the preferred location for suitable proposals. In applying this policy, account will be taken of the~~

locational needs of the specific leisure proposal since these can vary widely. For development outside defined centres, PPS6 requires that a need for it is established.

~~10.23 The City Council has been involved in the production of the Derbyshire and Peak Park Sport and Recreation Strategy and is also working with Sport England to assess the supply and demand of sports facilities in the City through the use of the Facilities Planning Model (FPM). The work, as well as the results of the Playing Pitch Assessment, will feed into the City Council's Sports Strategy.~~

L9 Former Derby Canal

Planning permission will be granted for canal restoration and new canal construction along the route indicated on the Proposals Map provided that the canal proposals:

- a. Incorporate provision for existing and proposed pedestrian, cycle, equestrian and vehicular routes;**
- b. Retain and enhance existing planting;**
- c. Enhance the wildlife value of the canal corridor as a whole;**
- d. Have proper regard to amenity, safety and security considerations;**
- e. Do not adversely affect the development potential of land;**
- f. Do not unduly inhibit existing and future business and industry activity in the area; and**
- g. Preserve or enhance features of historic interest.**

Development will not be permitted unless provision is made for such canal restoration or new canal construction along the route indicated on the Proposals Map.

10.24 The safeguarding of this route is carried forward from the Adopted City of Derby Local Plan. Progress has been made by the Canal Trust since the adoption of the CDLP and the Waterways Trust and British Waterways Board are now positively involved in the project.

- 10.25 The proposed restoration is an ambitious project which would bring major economic and environmental benefits. The scheme is feasible in engineering terms but implementation, and especially funding, will be difficult. There are constraints at various locations including the central section between Wilmorton and Raynesway where a new route will be necessary along the edge of Pride Park and the Wyvern Business Park.
- 10.26 There are concerns that the safeguarding policies may cause long term blight on a few parts of the route. In view of the strong support for the policy, the progress made and the benefits that the restoration would bring to the City, the Local Plan Review continues to safeguard the route. The City Council will, however, continue to keep the progress of the project under review to ensure that there continues to be a good prospect of full implementation in a realistic timescale.
- 10.27 Much of the canal route within the City is used now as linear public open space and for cycling and walking. These sections are also identified as wildlife corridors and contain specific features of wildlife interest. Restoration of the canal will need to retain and enhance these facilities as far as possible. It is also important that restoration protects residential amenity, does not unreasonably inhibit business activity and ensures the safety and security of people in the area. The agreement of the Environment Agency, including any necessary licenses and consents, will be needed for issues such as water supply and flood protection.

~~L10 — Allotments~~

~~Development which involves the loss of allotment gardens will only be permitted if:~~

- ~~a. — It is demonstrated to the satisfaction of the City Council that there is, and will continue to be, insufficient demand for the allotments. In such circumstances, planning permission will only be granted for development which would result in the permanent loss of open land provided that the Council is satisfied the land is not required to meet open space needs; or~~**
- ~~b. — The City Council is satisfied that the need for development outweighs the need to protect the land for allotments, and that alternative provision of another site of at least the same standard (including site, aspect, soil quality, drainage, security and ancillary features) is made in the same general locality that the present gardens serve before the closure of the existing gardens.~~**

~~10.28 Allotment gardens are a valuable community resource. They not only provide leisure interest, but also promote healthier and more sustainable lifestyles. There have often been considerable efforts made to upgrade their quality. In many areas they also provide an invaluable and scarce open land resource. Once lost to built development they cannot be replaced.~~

~~10.29 There has been significant pressure over the years to release some allotments for development, especially those in private ownership. The Council's policy is based on Government advice set out in PPG3 (Housing) and PPG17 (Planning for Open Space, Sport and Recreation) which emphasise the importance of open space in urban areas. It seeks to ensure that where a demand for allotments continues to exist, an allotment facility is maintained. The Council will therefore only permit the loss of allotments where the need for development outweighs the need for the allotments and where alternative land for the development is not available. The Council considers that such situations will be exceptional in nature. The benefits from the development would have to be significant to the local community or the wider city rather than just to a particular landowner. In these situations, permission will only be granted where gardens of the same or better quality can be provided nearby and the Council will strongly encourage applicants to ensure that any remaining allotment holders are found suitable nearby allotment space where they can continue gardening. If it can be shown that there is no current or future demand for allotments, the first preference will be for other open uses. This approach will benefit the local community, retain open land and allow the possible future return of the land into allotment use should demand arise. However, if the Council is satisfied that the land is not needed to meet open space needs or deficiencies, having regard to Policy L2, built development may be permitted.~~

Community Uses

~~L11 New Community Facilities~~

~~Planning permission will be granted for new, extended or multiple use of community facilities, including community halls, places of worship or health care facilities provided that the proposal:~~

- ~~a. Is well related to the population it is intended to serve;~~**
- ~~b. Takes proper account in design terms of the character of its location;~~**
- ~~c. Allows for adequate access and servicing facilities.~~**

~~New libraries will, where possible, be located in the City Centre, the defined District Centres or the Normanton Road/Pearl Road Linear Centre.~~

~~10.30 New or improved community facilities are very important resources for local people. The Council, therefore, welcomes in principle proposals for such facilities within or near to the community that they are intended to serve.~~

~~10.31 When assessing planning applications, the Council will consider the individual characteristics of the facility, its catchment and the impact it may have on local residents. There may be a need for conditions to regulate matters such as hours of operation, numbers of people attending and the range of activities provided.~~

~~10.32 To make the best use of resources, full use should be made of existing land and buildings. The multiple use of facilities and adaptations or extensions to existing buildings will be encouraged. New community buildings should be designed to be as flexible as possible in order to accommodate a variety of different needs.~~

~~10.33 It is particularly important that library facilities are as accessible as possible to local communities, particularly people without access to a car. Libraries will therefore be located generally in the City's traditional shopping centres which have good access by public transport and by foot and cycle.~~

~~L12 Protection of Community Facilities~~

~~Planning permission for any development, including changes of use, which involves the loss of community facilities will not be granted unless:~~

- ~~a. It is unsatisfactory for its use as a community facility in terms of access, car parking/servicing or effect on residential properties; or~~**
- ~~b. It is unsuitable for alternative community uses in terms of condition, design or size; or~~**
- ~~c. There is shown to be no need or demand for its use as a community facility; or~~**
- ~~d. The alternative provision of another site of the same or better facilities in terms of community benefit is implemented; or~~**
- ~~e. The facilities now provided can be fully retained or enhanced through the development of only a small part of the site.~~**

~~10.34 There are a limited number of existing buildings and sites suitable for community facilities, so the loss of a community facility is often cause for concern. Through changes in population structure or the restructuring of facilities, facilities may sometimes become surplus to the requirements of a particular group or organisation. However, this does not necessarily mean that they are not suitable for some other group. The policy therefore seeks to ensure that, where a need exists and the premises are satisfactory, community facilities are not lost to other forms of development.~~

L13 Cemeteries

The following sites are allocated for use as cemeteries:

- 1. Land to the north west of Stubble Close Farm, Chellaston;**
- 2. Land to the east of Moorcroft Farm, Mickleover**

10.35 Cemetery spaces are a necessary community facility. With the closure of smaller sites over recent years there is a need to identify additional land. The Council has identified these two sites to meet needs over the plan period and beyond. The site at Mickleover, which is owned by the Council, is large enough to complement the existing main cemetery at Nottingham Road. The site at Chellaston will be needed once the existing Chellaston cemetery is fully used. The Environment Agency has advised that the site at Mickleover has watercourses nearby to the north and south and these should be taken into account as part of any development proposals.

11. Learning and Health

Introduction

- 11.1 A key Government objective is to help achieve sustainable development by enabling members of society to achieve their full potential. The City Council and its partners are aiming to provide excellent education and training facilities to produce a skilled and innovative local workforce. This will help to secure sustained employment opportunities and prosperity for its residents. The City Council has responsibilities for education, social services and libraries. The University of Derby, Derby College, and various business support and training agencies in the public and private sectors are key partners in delivering these objectives.
- 11.2 The health and well being of Derby residents is also important to achieving sustainable communities. This includes equal access to a wide range of services and facilities across the whole City. South Derbyshire Health Authority and various NHS Trusts are responsible for hospitals and health centres. In addition, there are numerous community and voluntary bodies, which undertake a wide range of health related services.
- 11.3 The policies in this chapter seek to enable the agents responsible for delivering these services and facilities in order to make Derby a city of “lifelong learning and achievement”.

Learning and Health

LE1—Education Uses

Development for education and training purposes will be permitted provided that:

- a. It is well related to the public transport network and that traffic generated would not lead to major traffic management implications, a reduction in road safety or adversely affect the environment in the area;**

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- ~~b. A strategy is drawn up, such as a School Travel Plan, or an existing one reviewed, to encourage more staff, parents and children to walk, cycle or use public transport and car sharing schemes;~~
- ~~c. The proposal is in keeping with the general scale, character and levels of activity of the surrounding area;~~
- ~~d. In the case of development in residential areas, the site or building is sufficiently large and self contained to prevent unacceptable levels of disturbance to nearby properties.~~

~~The Council will seek to ensure that education and training facilities for employees are, where possible, well related to the employment site.~~

- ~~11.4 Developing a quality, skilled and productive workforce in the City is a high priority for the Council. The strength of the workforce is vital to the sustained prosperity of the local economy. This policy supports the development of facilities that are necessary to enable City residents to increase their existing skills and develop new ones.~~
- ~~11.5 Keeping education facilities close to local communities helps to foster good community relations and reduces social exclusion. This policy aims to ensure that education and training facilities are located in ways that enable people to choose to reach them by foot, bike or by bus.~~

LE2 School Uses

The following sites are identified for school uses:

New Primary Schools:

- 1. Normanton Lane, Littleover (as a replacement for St Peter's Church of England Junior School);**
- 2. Off Bembridge Drive South, Alvaston;**

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3. A one and a half form entry primary school within the proposed housing site off Rykneld Road, Littleover;

New School Playing Field:

4. Land adjoining Sinfin Community School.

- 11.6 These allocations protect land for longstanding proposals for new educational facilities at Normanton Lane and off Bembridge Drive South. A site will be required off Rykneld Road to meet the educational requirements of the housing site allocated under Policy H9. Further work is required to determine the most appropriate location for this school. The location shown on the Proposals Map is notional. The precise siting will be determined through a Supplementary Planning Document to be prepared for the site as a whole.
- 11.7 Land is safeguarded near to Sinfin Community School for additional playing field facilities. This proposal is carried forward from the previous Local Plan.

~~LE3 University District~~

~~A 'University District' is identified on the Proposals Map. Within this District, planning permission will be granted for development associated with the University provided:~~

- ~~a) The scale and intensity of the use is sufficiently similar to the surrounding area so that it would not detract from its general character or amenity;~~
- ~~b) The design of new buildings, or alterations to existing ones, are not out of character with the surrounding area;~~
- ~~c) The use would not lead to major traffic management implications, a reduction in road safety or adversely affect the environment in the area. Larger proposals should also include a Transport Assessment to identify the potential impact of the development and recommend any necessary transport measures to reduce car journeys and to promote alternative means of transport to the car.~~

~~Within this area, the Council will encourage improvements to the links between the City Centre and the main Kedleston Road Campus, provided residential amenity is safeguarded.~~

- 11.8 The City Council recognises the importance of the University to Derby and the major role it plays in achieving regeneration objectives and in creating a City of Learning. It also plays an important part in developing links between education and local industry. The University has undergone a period of rapid expansion in recent years and the identified area is already influenced by the University. The Council considers that consolidation of further development in this area will meet sustainability objectives because it would be well related to the University Campus, well served by bus, cycle and pedestrian routes that run between the University and the City Centre and is close to local community facilities.
- 11.9 The southern part of the University District, which forms part of the Markeaton Brook Mixed Use Area (Policy R7), is more mixed in character than the mainly residential area to the north and west. It contains commercial uses, student accommodation as well as residential properties. This mixed use character suggests that there will be more opportunities for sensitive University-related development, although all proposals throughout this District must comply with Policy GD4 regarding the need to protect the amenity of established properties. This part of the District also offers opportunities for further residential development, mainly in the form of conversion and redevelopment of existing buildings.

LE4 Derby University Main Campus

Within the area defined on the Proposals Map at the University Main Campus, Kedleston Road, planning permission will be granted for additional development or intensification of the University use, and for development which is ancillary to the main education use, provided:

- a. The City Council is satisfied that adequate measures are in place to reduce the need for off-site parking by encouraging students to make journeys to and from the campus by means of transport other than the private car;**
- b. Journeys made to and from the Campus as a result of new development can be met primarily by means of transport other than the car and that the City Council is satisfied it will not lead to further parking problems within the campus or within surrounding residential areas. The Council will require any major proposals to be accompanied by a Transport Assessment identifying the potential impact of the development and recommending any necessary transport measures to reduce car journeys and promote alternative modes of transport to the private car.**

- 11.10 The City Council supports the continued development of Derby University and welcomes new development that would contribute to objectives of encouraging lifelong learning and achievement. The University plays a key role in the provision of Higher Education facilities and it works with local employers to retain University of Derby graduates in the local workplace.
- 11.11 The Council recognises that the main campus on Kedleston Road is likely to remain the main centre for educational activities over the Plan period. Nevertheless, the Council is keen to ensure that new development does not exacerbate current parking difficulties in the area. Indeed, it will continue to encourage the University to develop measures to reduce these. The implementation of a travel plan will do much to improve past parking related problems. The University will be encouraged to consult local residents on any proposals for further development of the Campus before final proposals are submitted.
- 11.12 There may also be scope for ancillary B1 uses developing on the Campus where they can demonstrate a close relationship to the University's activities.

LE5 Derby College Campus, Wilmorton

Within the area defined on the Proposals Map at the Derby College Campus, Wilmorton, planning permission will be granted for development associated with its existing educational use. Should all or part of the site become surplus to current requirements, the following alternative uses will be preferred:

- **Education uses**
- **Residential development**
- **Business uses (B1) (major office development will be subject to Policy EP10)**

The Council will require any major proposals to be accompanied by a Transport Assessment identifying the potential impact of the development and recommending any necessary transport measures, including measures to promote alternative means of transport to the car.

In the event of the existing College use being relocated and the site being redeveloped for other than educational purposes the City Council will require as open space the open land to the north of the existing buildings to be dedicated to the Council as public open space.

- ~~11.13 Planning permission has been granted for the redevelopment of this site for residential development. This policy has guided the consideration of the applications and will continue to guide future applications should any be submitted. The site includes land previously identified as green wedge. The Council believes it is reasonable that if the College vacates the site, open land to the north of the existing buildings should be dedicated into public use as public open space as a compensatory measure.~~
- ~~11.14 The Derby College site is in a sustainable location, being served by a regular bus route and well related to residential and employment areas of the City. There should be opportunities therefore to reduce the need to travel, and reliance upon the private car for journeys to and from any new development on the site. In particular, proposals should improve public access to nearby residential areas, including those to the south of London Road, especially in view of the Wilmorton Link road. Provision should be made for improved pedestrian and cycle links to the west and east of Harrow Street and to public transport routes along London Road.~~

~~LE6 — Derbyshire Royal Infirmary~~

~~Within the area defined on the Proposals Map at the Derbyshire Royal Infirmary, planning permission will be granted for healthcare facilities (D1) in association with the long term future of the hospital.~~

~~On land surplus to the hospital's requirements, the City Council will permit the following uses:~~

- ~~a. — Additional health care facilities (D1);~~**
- ~~b. — Non-residential institutions (D1), including community uses;~~**
- ~~c. — Residential uses (C1, C2, C3 and hostels);~~**
- ~~d. — Leisure uses (D2);~~**
- ~~e. — Business uses (B1).~~**

~~The City Council will require any major proposals to be accompanied by a Transport Assessment identifying the potential impact of the development and recommending any necessary transport measures, including measures to promote alternative means of transport to the car.~~

~~11.15 The Southern Derbyshire Health Authority is undertaking a review of its land requirements at this site. The outcome of this review is likely to result in parts of the site no longer being needed for health care uses. This would create opportunities to improve and regenerate this part of the City. The site lies within the City's Central Area and is close to many City Centre facilities. It is well served by bus routes and is within a reasonable walking distance from the railway station. It would, therefore, be a sustainable location for residential, leisure and business uses. The Council is preparing an Action Plan DPD for the eastern fringes of the City Centre which will include the DR1 site. This will provide more detailed policy guidance for the area and will in due course replace the relevant policies in this Local Plan as part of the Council's Local Development Framework.~~

~~LE7~~ City Hospital, Mickleover

~~Within the defined City Hospital, planning permission will be granted for development associated with the proposed relocation of acute health care facilities. The City Council will require any major proposals to be accompanied by a Transport Assessment identifying the potential impact of the development and recommending any necessary transport measures, including measures to promote alternative means of transport to the car.~~

~~11.16 The City Council supports the development of facilities that improve the health and well-being of the City's residents. This objective forms part of the Derby City Partnership's strategy to tackle social exclusion in key neighbourhoods and for key groups in the community. The Trent Regional Health Authority and the Southern Derbyshire Health Authority are undergoing a comprehensive review of their services and land requirements, including those for medical staff accommodation and teaching facilities. The Council will support these provided they are consistent with sustainability objectives and would not lead to traffic dangers and difficulties.~~

~~11.17 The Environment Agency has indicated that development proposals may need to be accompanied by a drainage study and measures put forward to mitigate against flooding problems. Developers are advised to contact the Agency at an early stage.~~

12. Transport

Introduction

- 12.1 The Government is pursuing an integrated transport policy, which will redress the balance of the over reliance on the private car by improving transport choice. This means integration within and between different types of transport, and making sure that transport and land use planning work closely together.
- 12.2 The Derby and Derbyshire Joint Structure Plan has taken this integrated approach on board, and provides a framework for the Local Plan and the Derby Joint Local Transport Plan: 2006–2011 (LTP2). The policies in this chapter complement the Local Transport Plan's integrated transport strategy which includes walking, cycling, public transport and transport management and demand restraint. This chapter includes policies and proposals for major transportation projects to improve public transport services into the City; improving the efficiency and safety of the road network; and promoting alternatives to the private car.
- 12.3 The Local Plan also needs to reflect the City Council's obligation to meet the national air quality standards contained in the Air Quality (England) Regulations 2000 (as amended). The Council has declared Air Quality Management Areas and has produced an Action Plan aimed at reducing the levels of nitrogen dioxide and achieving the national air quality standard. Significant development proposals within or adjacent to the boundaries of this Area will need to take into account the measures being undertaken through the Council's Action Plan.
- 12.4 Overall the policies of this Transport Chapter aim to achieve a balanced approach to delivering an integrated transport system for the City. Providing more transport choice will not only help to stop traffic problems getting worse, but will also make things better for people and goods moving around, into and out of the City.

Transport Strategy

T1—Transport Implications of New Development

In considering applications for planning permission, the City 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.

Any development likely to have significant transport implications will not be granted planning permission unless the applicant submits a Transport Assessment identifying potential impact and measures to alleviate any adverse effects of the development.

Examples of such measures could include;

- **Measures to assist access to the site on foot or by cycle;**
- **Measures to assist access to the site on foot or by powered two wheelers and cycles;**
- **Provision of or contributions towards public transport infrastructure;**
- **Partnership with a local bus operator;**
- **Measures to minimise the environmental impact of goods vehicle movements;**
- **Traffic management measures which could help to overcome consequent problems of, for example, traffic congestion, through-traffic in residential areas, road traffic accidents or on-street parking.**

Travel Plans should be submitted alongside planning applications that are likely to have significant transport implications, and where they are within or near to air quality management areas.

The City Council will seek to negotiate with developers to secure such arrangements by conditions or by obligation under Section 106 of the 1990 Act.

- 12.5 A development may result in an increase in vehicle movements to and from a site, causing a material difference to the quality of the environment in the vicinity of the site, for example, by increasing air pollution or affecting road safety. There can also be impacts upon the wider transport network, such as increasing traffic congestion. The traffic effects of development must therefore be carefully considered and the scope and need for measures to offset these effects, thoroughly assessed.
- 12.6 A travel plan should be submitted alongside all planning applications that are likely to have significant transport implications. These would include, all major developments comprising jobs, shopping, leisure and services, of a scale at and above the thresholds in Table 12.1. A travel plan will also be expected for smaller developments comprising jobs, shopping, leisure and services which would generate significant amounts of travel in or near to Air Quality Management Areas (AQMA). Where appropriate, the travel plan will need to take into account the objectives of the Council's Action Plan for the relevant AQMA. A travel plan should also be submitted alongside applications for new and extended school facilities and where a travel plan would help address a particular local traffic problem associated with a planning application.

Table 12.1 – Travel Plan/ Transport Assessment Thresholds

A1	Food retail/ non food retail	1000m ² gross floorspace
B1	Including offices	2500m ²
	Cinemas and Conference facilities	1000m ²
D2	Including leisure	1000m ²
	Hospitals	2500m ²
	Higher and further education	2500m ²
	Stadia	1500 seats

- 12.7 Where development proposals will have significant transport implications a Transport Assessment should be submitted, including major development as defined in Table 12.1, or where the proposal is likely to have a material impact on the safety or free flow of traffic on local and trunk road networks. The assessment should illustrate the likely modal split of journeys to and from the site, together with details of proposed measures to improve access to public transport, walking, cycling and powered two wheel vehicles. These measures should aim to reduce the number and impact of motorised journeys associated with the proposal. Where the proposal will affect a trunk road, the assessment should meet the requirements of the Highways Agency, and should identify any mitigation works to be funded by the developer. New accesses onto trunk roads will be restricted in accordance with PPG13. The cumulative impact of other permitted, proposed or allocated sites should be considered.

Major Transportation Projects

T2 City Council Schemes

The City Council will pursue the implementation of the City Centre Integrated Transport Project: 'Connecting Derby' (referred to in Policy CC16).

The City Council will also pursue the implementation of the following major projects subject to further consideration during the development of the Local Transport Plan 2006-11 (LTP2):

- a. The Mickleover/Mackworth Express Bus-Way on the former railway line between Mickleover and the former Friar Gate Station;**
- b. A transport link extending the Alvaston Bypass beyond Raynesway to London Road.**

Planning permission will not be granted for development that would prejudice the implementation of these schemes.

Detailed designs should take full account of the need to:

- 1. Minimise impact on the environment, including green wedges;**
- 2. Minimise impact on residential amenity and existing business premises;**
- 3. Integrate with proposed development sites along their routes.**

The City Council will seek to negotiate financial contributions to these schemes in appropriate circumstances.

12.8 Land has been safeguarded in the City Centre for the completion of the Inner Ring Road for many years. Through the strategy of the LTP the Council has identified ways to reduce the impact of congestion in the City Centre. The City Centre Integrated Transport Project, "Connecting Derby", is now underway following extensive public consultation. The Project involves;

- A combination of measures including restricting through traffic on Albert Street, Victoria Street and Wardwick,

- Improving access for buses, cyclists and essential traffic and services,
- Improved access for pedestrians,
- Constructing new transport links between Uttoxeter Road and Traffic Street,
- Bus priorities on main routes into the City Centre,
- A more direct route around the City Centre for all traffic.

12.9 Funding for the Project has been secured from the Government.

12.10 The City Council has for many years protected land for a possible extension of the Alvaston Bypass beyond Raynesway to join London Road south of Alvaston Park. Protection is being continued along a broadly similar route but with a minor change where it joins Raynesway. The link will remove through traffic and enable bus, cycle and pedestrian priority measures to be implemented on London Road with resultant environmental and safety benefits. Evaluation and consultation has produced a preferred line for the route and further assessment on integrated public transport options will take place. The link will be considered as one of a pool of schemes in the Local Transport Plan: 2006– 2011 (LTP2).

12.11 Implementation of the Alvaston Bypass extension will involve the loss of park homes at the New City Home Park which have been subject to a series of temporary planning permissions. The owners of the site are aware of the likely need for the site to be acquired. The City Council will address the issues raised by displacement and provide all reasonable and practicable assistance to those affected.

12.12 The Derby Joint Local Transport Plan identifies a longer-term project for an express bus-way along the former railway line from Mickleover to the City Centre. The City Council will undertake a planning and engineering study along the line of the proposed route, but the project is unlikely to be funded until the 2006-2011 period. The express bus way will complement the City Centre Integrated Transport Project and will provide good accessibility to the City Centre from the existing and proposed housing areas along the corridor from Mickleover and Mackworth. It will also serve to improve access to the Friar Gate Station development area.

~~T3 Highways Agency Schemes~~

~~Planning permission will not be granted for development that would prejudice improvements to the junctions of the A38(T) with the A5111(T) and the A38(T) with the A52(T), identified by the A38 Derby Junctions Study.~~

- ~~12.13 The City Council is aware of serious peak hour congestion where the A38(T) meets the A5111(T) at Kingsway; and the A52 at Markeaton Park within the City boundaries, and the A38(T)/ A61 junction at Abbey Hill to the north of the City. These junctions were the subject of the Highways Agency's A38 Derby Junction Study which was completed in 2003. Major development proposals in the vicinity of this corridor will be expected to take full account of the results of this study.~~
- ~~12.14 Land will be protected to implement any agreed scheme that emerges from these studies.~~

Managing Travel Demand

~~T4 Access, Parking and Servicing~~

~~The City Council will only grant permission for development that makes safe and appropriate provision for:~~

- ~~a. Access to and egress from the development by pedestrians, cyclists, powered two-wheelers, public transport users and the private car;~~
- ~~b. Car, powered two-wheelers and cycle parking, in accordance with the parking standards set out in Appendix A;~~
- ~~c. Vehicle servicing and access arrangements clear of the highway.~~

~~In areas with good access by modes of transport other than the car, lower levels of on-site parking will be sought. These locations will include the Central Area of the city and the District Shopping Centres as defined on the inset maps.~~

~~Planning permission for more than the maximum standard will only be granted if a Transport Assessment demonstrates that a lower level of parking is not achievable and that serious road safety or amenity problems would otherwise arise.~~

~~12.15 Government guidance in PPG13 (Transport) advises that the availability of parking has a major influence on people's travel choices. It therefore recommends that levels of parking provision be reduced in order to encourage people to use their cars less. Car parking can also take up a large amount of space within developments and is often an inefficient use of land.~~

~~12.16 The policy reflects the Regional Planning Guidance for the East Midlands by adopting more restrictive maximum standards in the Pedestrianised and the Central Areas because these are well served by public transport. The Pedestrianised Area comprises the following streets: St Peter's Street, St Peter's Churchyard, East Street, Corn Market, Market Place and Sadler Gate. The Central Area boundary is defined on the Proposals Map by Policy CC1. The City Council has introduced on-street car parking charging, and associated residents parking zones, and is decriminalising parking~~

enforcement within these areas as part of the Local Transport Plan's strategy.

- 12.17 — Travel plans are one of a number of measures to address the problems identified by the transport assessment. The Government is promoting the widespread use of travel plans amongst business, educational, hospital and other traffic generating uses in order to raise awareness of the impacts of travel decisions. Where a travel plan is to be submitted alongside a planning application, it needs to be worked up in consultation with the Council and local transport providers, such as bus operators.
- 12.18 — The parking standards will be applied in a common sense manner, taking account of the particular circumstances of each application. In some cases the applicant's transport assessment may clearly indicate that the demand for travel from the development will inevitably result in unacceptable on-street parking and implications for road safety, despite the measures set out in the travel plan. In such cases a more flexible approach to provision may be appropriate to avoid these problems. The parking standards in this Review have been drawn up to reflect sustainability objectives.

T5 — Off-Street Parking

Beyond the Central Area, the City Council will only grant planning permission for off-street parking not connected with new development, where the applicant can demonstrate that there is a need for the facility in the context:

- a. — Of the location's proximity to bus, cycle and pedestrian routes and local facilities;**
- b. — Whether there is a shortfall in existing off-street parking provision in the local area, which is causing significant road safety, traffic management or residential amenity problems; and**
- c. — That the facility will not encourage additional trips by private car.**
- d. — Planning permission will not be granted which results in the loss of off-street parking which has road safety or traffic management implications.**

Planning permission will be granted for development that would result in the loss of off-street parking provided it is compatible with other policies in the Local Plan and that it would not lead to road safety and traffic management difficulties.

- ~~12.19 The provision of any additional car parking outside the Central Area must meet the strategic aims of the Plan. These are to reduce reliance on the private car, to encourage the use of alternative modes of transport, which have less environmental impact and to prevent unacceptable harm to local amenity and public safety. Policies for car parking in the Central Area are more restrictive and are located in the City Centre Chapter.~~

Promoting Alternatives to the Car

~~T6 Provision for Pedestrians~~

~~The City Council will seek to provide a safe and attractive environment for pedestrians, including disabled people. The Council will prepare and implement programmes to improve and enhance the pedestrian environment in and around the following priority areas:~~

- ~~a. City Centre and other Shopping areas;~~
- ~~b. Areas around community uses including schools or leisure facilities.~~

~~In considering applications for planning permission, the City Council will seek to negotiate measures where appropriate to achieve this, such as:~~

- ~~1. Safe, accessible and convenient links to pedestrian routes alongside the development site;~~
- ~~2. Safe, accessible and convenient routes within the development site;~~
- ~~3. In major developments, the provision of facilities for pedestrians, such as changing rooms and facilities for storing personal items.~~

- ~~12.20 The City Council is seeking to increase the number of journeys made wholly or partly on foot by improving the pedestrian environment. Public areas and new development can become more attractive to pedestrians through, for example, traffic calming, improved lighting, wider pavements, natural surveillance from overlooking buildings, and well designed and located street furniture.~~

~~T7 Provision for Cyclists~~

~~In considering applications for planning permission and other proposals for transport development or traffic management, the City Council will seek to negotiate the provision of measures to make cycling safer and more attractive, including:~~

- ~~a. The provision of safe cycle links to a strategically important cycle network;~~
- ~~b. Provision of safe cycle routes within the development site;~~
- ~~c. The provision of facilities for cyclists, such as changing rooms with showers, cycle stands and secure cycle parking in accordance with the Cycle Parking Standards set out in Appendix A.~~
- ~~d. Contributions to the continued establishment of a strategically important cycle network.~~

~~12.21 The provision of facilities for cycle users increases the attractiveness of cycling as a choice of transport. Their provision should reasonably relate to the scale and nature of the development proposed. Examples of such facilities include; rooms for cyclists to change out of cycling gear into fresh clothes; cycle lockers; or just somewhere safe and convenient for cycles to be left temporarily.~~

~~12.22 The Council intends to prepare a Cycling Strategy which will identify a network of cycle routes. This will help to guide priorities for investment during the Plan period. The cycling strategy will contain a map of all the on-road cycle paths. Any proposed routes to the network that cross non-highway land will be included under Policy T15.~~

~~T8 Provision for Public Transport~~

~~The City Council will promote the increased use of bus, rail and other public transport services.~~

~~In considering applications for planning permission, the City Council will seek to ensure that the proposed development:~~

- ~~a. Does not adversely affect existing and proposed bus facilities and priority measures;~~
- ~~b. Takes into account access by taxi and bus users.~~
- ~~c. Where appropriate, the City Council will seek to negotiate improvements to public transport as part of development proposals, in order to reduce the need to travel by car and the level of parking and improved access at such sites.~~

~~12.23 Within the context of the Local Transport Plan, the City Council will be working in partnership with public transport providers and operators to undertake projects to improve public transport infrastructure. These improvements to key bus routes within the City will reinforce the effectiveness of the Local Plan's policies to guide development towards sites well served by public transport. Examples of improvements to public transport range from providing revenue support to bus services for a period before they become commercially viable, to the provision of facilities such as bus shelters or better pedestrian links to bus stops. Any measures negotiated will need to correspond with the objectives of the Council's Local Transport Plan.~~

T9 Park and Ride

Planning permission will be granted for Park and Ride facilities in appropriate locations provided that:

- a. The scale and design of the facility are sympathetic to the character of the surrounding area;**
- b. The design of the car park takes into account security needs, pedestrian safety, and landscaping where appropriate;**
- c. The operation and location of the facility should not result in significant safety or traffic management implications.**

A transport assessment of the proposed facility should be submitted alongside the planning application which provides a justified case for the scale and location of the development and the extent of the transport implications of the proposal. The assessment should also identify any mitigation works to be funded by the developer.

Planning permission will be granted for a park and ride facility on land to the north of the City Hospital roundabout. Planning permission will not be granted for development that would prejudice this proposal.

Other opportunities for Park and Ride facilities will be considered in the transport corridors based around the A6(T) London Road and the A61 Sir Frank Whittle Road, A608 Mansfield Road.

- 12.24 The City Council supports the creation of park and ride where these can reduce the overall length of car journeys especially into the City Centre. Reducing traffic congestion will help the Council to meet Government targets for reducing air pollution as well as bring other economic and environmental benefits. Schemes will need to complement the City Centre Integrated Transport Project and the Central Area parking policies to ensure the City's transport network is fully integrated.
- 12.25 The Local Transport Plan: 2006-2011 (LTP2) is seeking to deliver four strategic Park and Ride sites on the four trunk road corridors leading into the City. These are at the Derby City General Hospital, Sir Frank Whittle Road, the junction of Megaloughton Lane and the A52 Nottingham Road and at the A6 London Road at Boulton Moor.

- 12.26 Part of the land to the north of the City Hospital roundabout is reserved for a park and ride facility. This is being implemented through a S106 Agreement and will provide 300 parking spaces as part of a larger car park to provide off-site parking for hospital employees.

Access for Disabled People

T10 Access for Disabled People

Planning permission will only be granted for non-domestic development, including changes of use and alterations, which includes practical, appropriate and environmentally pleasant provision for the additional reasonable needs of disabled people, as customers, visitors and employees.

- 12.27 The City Council aims to create an environment where people with mobility difficulties, including disabled people, parents with children and elderly people, can gain access to buildings and use all services available to other people.
- 12.28 The Building Regulations 1991 contain the Approved Document Part M (1992) which requires that reasonable provision is made to enable disabled people to gain access and to use any new non-domestic or extension to a building. When an existing building is altered or has a change of use, there is no obligation under Part M to improve access and facilities for disabled people. This policy aims to ensure that the level of provision for disabled people should at least be no worse after alteration or change of use.

Infrastructure for New Development

T11 New Bridge over the River Derwent

Planning permission will be granted for a new bridge over the River Derwent between land to the south-east of the Acordis main works and land south of the river and east of Raynesway as part of the development either side of the River. The detailed design of the bridge must take full account of the cycleway/ walkway and the need to protect the environment of the River and its banks. Planning permission will not be granted for development that would prejudice implementation of this scheme.

12.29 A bridge may be needed here to secure a satisfactory access to employment land north of the river. This will be considered through the Transport Assessment carried out as part of the implementation of Policy EP2 Raynesway/ former Acordis land, Spondon. Its detailed design and location must be determined in consultation with the Environment Agency, and must take full account of the riverside cycleway / walkway and the ecological importance of the river and its banks.

T12 New Road between Sinfyn and Chellaston

Planning permission will be granted for the construction of a new road between Wilmore Road and the A514 at its junction with the A50 Southern Bypass. The developers of all sites accessed by all or parts of this link road will be required to contribute to its design and construction. The detailed design of the road should:

- a. Minimise the impact on the environment and natural features;**
- b. Take full account of recreational routes along the line of the road;**

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- ~~c. Safeguard the option to restore the Derby and Sandiacre Canal for navigation;~~**
- ~~d. Provide for the needs of pedestrians, cyclists and disabled people.~~**

~~Planning permission will be granted for development that would not prejudice the construction of this road.~~

~~12.30 This policy seeking construction of the A514/ A50 to Wilmore Road Link is being carried forward from the City of Derby Local Plan. Because the need for this road is generated by large-scale housing and employment development, it is intended that its construction should be jointly funded by the developers involved. Construction of part of the link road has already started from the southern end, where the road meets the junction with the A514. All developers should also liaise with the Environment Agency to ensure the road provides for flood protection works and access to them. Care should be taken to avoid damage to recreation routes and natural features, in particular, Sinfin Moor Lane, the former Derby Canal, Moor Plantation and Guttle Brook. Provision will need to be made for the possible future restoration of the Derby Canal at the point where the proposed road crosses the canal route.~~

Protection Policies

~~T13 Protection of former Railway Lines and Canal Routes~~

~~Planning permission will not be granted for development that would sever or prejudice the re-use of the routes of former railway lines and canals which have an existing or potential function as a pedestrian footpath, cycle or bridleway or on to which a new public transport facility, a freight connection or an extension to an existing network might be introduced in the future, such as the portion of the Sinfin branch railway line between Melbourne junction and Wilmore Road.~~

- ~~12.31 Government advice in PPG13 (Transport) indicates that disused transport routes should be protected for the possibility of them returning to their former use or for new uses such as footpaths, cycleways or bridleways. Disused transport routes represent the principal continuous corridors in the City along which new transport facilities could be provided in the future. Whilst most are already developed or proposed as recreational routes, future uses might include exclusive bus routes or light rapid transit routes.~~
- ~~12.32 The disused railway line between Mickleover and the former Friargate Station is being safeguarded to allow for an investigation by the Council into the viability of an Express Busway.~~

~~T14 Public Rights of Way~~

~~Planning permission will not be granted for development proposals which would sever Public Rights of Way or prejudice access to these routes by pedestrians, cyclists or horse-riders unless an alternative route or routes can be secured as part of the development, that are at least as safe, convenient and attractive as those being replaced.~~

- ~~12.33 This policy helps to address the Local Plan's objective to promote walking as a sustainable mode of transport.~~
- ~~12.34 These Public Rights of Way, which appear on the Definitive Map, are Public Highways and define routes across private land over which the public has a right of access. They comprise public footpaths and public bridleways. Public Rights of Way enable people to gain access to areas of countryside and open space around the City and provide links within the urban area. The City Council, as Surveying Authority, has a duty to maintain and protect Public Rights of Way. The Definitive Map and Statement for the City of Derby shows the routes of all definitive Public Rights of Way in the City.~~
- ~~12.35 Only pedestrians can use public footpaths. In order for cyclists and horse-riders to use a route defined as a public footpath, a Modification Order has to be made by the Council to change the path's status to a bridleway. The Council, members of the public or organisations can apply for a Modification Order on a specified route.~~

T15 Protection of Footpath, Cycleways and Routes for Horseriders

In considering applications for planning permission and other proposals for transport development and traffic management, the City Council will seek to protect and improve existing footpaths, cycling and horse-riding routes throughout the Plan area.

The City Council will:

- a. **Seek the provision of facilities for horse-riding throughout the Plan area with special attention to the eastern Sinfin Moor and Derwent Valley areas;**
- b. **Implement new routes providing for pedestrians, pedal cyclists and horse-riders, with special attention to the following routes shown on the Proposals Map:**
 1. **A cycleway-walkway crossing the River Derwent between the riverside recreational route and Chaddesden Sidings, with connections to Chequers Lane and Meadow Lane;**
 2. **A route partly utilising the former railway line from Wilmore Road to Station Road;**
 3. **A cycleway-walkway along Hell Brook from Fresco Drive and Rykneld Road to the existing City boundary and the proposed City Park east of Moorway Lane. This will include a direct connection through the proposed housing land to Briars Lane and be aligned to preserve potential for a direct connection with the Stenson Road railway bridge;**
 4. **A route alongside the line of the former railway land between Mackworth and Mickleover with connections to Onslow Road, Murray Park Community School and Windmill Hill Walk;**
 5. **A cycleway-walkway from Back Lane, Chellaston, to the former Derby Canal Route;**
 6. **A cycleway-walkway from Glenwood Road to Pit Close Lane Recreation Ground, Chellaston;**

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- 7. A route from Station Road, Chellaston, to the former Derby Canal route;**
- 8. A cycleway-walkway from Booth Street/ Coleman Street to the former Derby Canal route at Harvey Road;**
- 9. Cycleway-walkways within the Pride Park Development site shown on the Proposals Map;**
- 10. An extension of the riverside recreational route to Allestree Park;**
- 11. A cycleway-walkway utilising the former Breadsall/ Ilkeston railway line to the Pentagon Island;**
- 12. A extension of the Markeaton Brook Walkway towards Markeaton Park;**
- 13. A cycleway-walkway along the Chaddesden and Lees Brook towards Locko Park;**
- 14. A cycleway-walkway from Highfield Lane, Chaddesden to Borrowash following the former Derby Canal route;**
- 15. A cycle-way from Brisbane Road, Mickleover to Mackworth Park alongside Bramble Brook and;**
- 16. A cycle-way from Uttoxeter Road to Kingsway, across the Kingsway Hospital site.**

12.36 The development of recreational cycle routes, bridleways and long distance and circular routes helps to improve peoples' access to the countryside in the green wedge areas, to paths alongside the River Derwent, and from residential areas to local playing fields and other facilities. Many of the routes proposed provide links between existing public rights of way and stretches of a strategically important cycle network. Some of the routes will also form future commuter links for cyclists.

~~13. Monitoring~~

~~Introduction~~

- ~~13.1 The Government attaches great weight to monitoring the performance of Local Plans as part of its Plan, Monitor and Manage approach. The targets and indicators set out in the table overleaf were drawn up to provide a robust basis for monitoring the implementation of the Plan's policies. However, since the draft versions of the Plan were produced, the Planning and Compulsory Purchase Act 2004 has introduced a requirement for every local authority to produce an Annual Monitoring Report (AMR). This has effectively replaced the monitoring mechanism set out in this chapter, although the targets and indicators developed for the Local Plan form the basis for those used in the AMR.~~
- ~~13.2 The first AMR for the City was submitted to the Secretary of State in December 2005 and covers the period 1 April 2004 to 31 March 2005. The Council is required to up-date this annually and submit a new AMR each December. The AMR process will help to evaluate success or otherwise in meeting the Local Plan's objectives and policies. It is intended to highlight areas where changes to policy may be required by bringing forward new documents within the Local Development Framework.~~

Objective.	Targets	Indicators with source of information
<p>A. Promoting sustainable patterns and mixes of land use which reduce the need to travel</p>	<p>Dwellings granted permission on large new sites from April 2002 to be at a net average density of at least 35 per ha.</p> <p>Development of City Centre and Mixed Use Urban Regeneration Sites identified in Policy R1</p> <p>Increase in the number of annual dwelling completions in the city centre from the 2001 level.</p> <p>No increase in average journey to work distances</p>	<p>Density of housing development on wholly completed sites over 10 dwellings</p> <p>Number and proportion of City Centre and Mixed Use Urban Regeneration Sites developed by April 2011 (DCC)</p> <p>Number of dwelling completions in the defined Central Area compared with the 2001 level.</p> <p>Average journey to work distances (ONS Census Special workplace Statistics.)</p>
<p>B. Promoting the economic, social and environmental regeneration of the urban area</p>	<p>Implementation of all identified regeneration sites identified in Policy R1</p>	<p>Number and proportion of sites developed which are identified in Policy R1 (DCC)</p>
<p>C. Facilitating an integrated approach to transport which increases and improves transport choice and accessibility to alternatives to the car</p>	<p>Increase percentage of people travelling to and from work by modes of transport other than the car by 2011 to:</p> <ul style="list-style-type: none"> * walking—16% * cycling—10% * public transport—18% <p>Increase in Park and Ride capacity</p> <p>Increase the length of cycleways</p> <p>Reduce number of long stay car parking in City Centre</p>	<p>Percentage of people travelling to work by these three modes of transport by 2011 (National Census)</p> <p>Capacity of Park and Ride facilities in 2011 compared to 2001 (DCC)</p> <p>Amount of new cycleway opened (DCC)</p> <p>Number of long stay car parking spaces in City Centre at 2011 compared to 2001</p>

<p>D. Promoting social inclusion, meeting housing needs and tackling poverty, ill health and disability</p>	<p>Average of 748 new dwellings completed each year from 2002 (DCC)</p> <p>Average of 200 new "affordable" dwellings completed each year from April 2002</p> <p>In areas of demonstrable housing need 20% - 30% dwellings completed on windfall sites of 25 or more dwellings to be affordable</p> <p>10% of new dwellings on large housing sites to be as 'Lifetime Homes'.</p> <p>Reduce levels of deprivation within the Inner City Wards</p>	<p>Number of dwellings completed each year from 2002 (DCC)</p> <p>Number of affordable housing built on large housing sites (DCC)</p> <p>Proportion of affordable dwellings secured on appropriate windfall housing sites (DCC)</p> <p>% of dwellings secured on large housing sites to 'Lifetime Homes' standards (DCC)</p> <p>Index of local deprivation for the Inner City Wards</p>
<p>E. Making fullest use of previously used land and buildings, improving energy efficiency and reducing waste and pollution</p>	<p>At least 60% of total housing completions on previously developed land by 2008</p> <p>Meet the Air Quality Standards established in the National Air Quality Standards for the seven designated pollutants</p> <p>Increase the number of new dwellings being built that improve energy conservation and reduce waste</p>	<p>% of new homes built on previously developed land (DCC)</p> <p>Air quality readings from the City Centre Monitoring Station (DCC)</p> <p>Number of dwellings granted permission that are known to be of "eco-standard" or other recognised equivalent</p>
<p>F. Assisting in creating a prosperous and economically vibrant city</p>	<p>Increased average take up of business and industrial land from the average for the 1991-2001 period.</p> <p>Reduce percentage of City Centre, District Centre and Neighbourhood Centre vacant units from 2000 levels</p> <p>Increase in Prime Zone A Rents in real terms from 1998 levels</p>	<p>Amount of business and industrial land completed each year between April 2001 and 2011</p> <p>% of City Centre, District Centre and Neighbourhood Centre retail units vacant (DCC/DCP)</p> <p>Prime Zone A Rents discounted to 1998 levels (DCC/DCP)</p>

G. Improving the quality and design of the urban environment, making urban living more attractive, safe and secure	<p>Improve people's perception of the quality of the urban environment</p> <p>Secure new public open space through the planning process</p>	<p>Satisfaction levels of respondents on Derby Pointer about Derby's environment (DCC)</p> <p>Amount of land identified secured for public open space through or as a requirement of planning permissions by 2011 (DCC)</p>
H. Ensuring the conservation and enhancement of the City's key natural and cultural resources, its heritage, local distinctiveness and community identity	<p>Prevent development in green belt or green wedges that is contrary to Policies E1 and E2.</p> <p>Prevent all loss of listed buildings that does not accord with policy</p> <p>Prevent all loss or serious harm to sites of importance for nature conservation</p>	<p>Amount of green belt or green wedge land developed in a manner recognised by the Council as being in conflict with Policies E1 or E2 (DCC)</p> <p>Number of Grade 1, 2 & 2* Listed Buildings demolished contrary to policy (DCC)</p> <p>Area of land or features identified in E4 lost or irrevocably damaged by development granted permission (DCC)</p>
I. Promoting lifelong learning	Bring forward land to meet educational needs	Land granted planning permission subject to identified needs

14. Appendices

Appendix A: Parking Standards

All parking standards are expressed as maximums, except for cycles which are expressed as minimums.

Use Class A			
Parking spaces for non residential employees and customers (non-operational)			
	Pedestrian- ised Area	Central Area	Rest of City
Use Class A1 Gross floor space (including retail floor space)			
Up to 1000m ²	Nil	1 space per 25m ²	
1000m ² and over	Nil	Food retail 1 space per 14m ²	
	Nil	Non-food retail 1 space per 20m ²	
Use Class A2			
	Nil	1 space per unit	1 space per 35 m ²
Use Class A3/ A4/ A5 Gross dining/public bar/lounge areas			
Customers	Nil	1 space per unit	1 space per 5 m ²
Employees			1 space per 4 members of staff normally present in working hours
Transport Cafes and Roadside services – may be subject to Transport Assessment			

The layout of the development site should ensure that delivery and service vehicles can park and manoeuvre safely off the highway.

Use Class B

~~Parking spaces for non residential employees and customers (non-operational)~~

Gross floor space	Pedestrianised Area	Central Area	Rest of City
Use Class B1 a) Office Use (not within A2)			
Up to 2500 m ²	Nil	1 space per 130 m ²	1 space per 40 m ²
2500 m ² and over	Nil	1 space per 100m ²	1 space per 30m ²
Use Class B1 b) Research & Development			
Up to 2500 m ²	Nil	1 space per 215 m ²	1 space per 85m ²
2500 m ² and over	Nil		
Use Class B1 c)			
Up to 2500 m ²	Nil	1 space per 215 m ²	1 space per 85m ²
Over 2500 m ²	Nil		
Applications for B1 Uses with training and conference facilities will be treated a mixed B1 and D1 uses. In such cases the City Council will seek to negotiate appropriate levels of car park provision and any alternative arrangements for access to the site, depending upon the location of the development site.			
Use Class B2			
	Nil	1 space per 215 m ²	1 space per 85m ²
Use Class B8			
	Nil	1 space per 450m ²	1 space per 215m ²

~~The layout of the development site should ensure that delivery and service vehicles can park and manoeuvre safely off the highway.~~

~~Developers that require parking spaces for employees who go out on business journeys on a regular basis during the working day should submit a transport assessment with the planning application. This should indicate the number of staff permanently in the office and the number of staff requiring cars for business trips and the frequency of their trips. This information will provide a basis for negotiations with the Council on appropriate levels of parking provision in the context of the development site's location, degree of access to public transport and the parking standards above.~~

Use Class C

Parking spaces for non residential employees and customers (non-operational)

	Pedestrianised Area	Central Area	Rest of City
Use Class C1 Hotels			
Guests		1 space per 2 bedrooms	1 space per bedroom
	Where appropriate arrangements should be made with existing, local public/ private car park operators. Coach parking should be individually assessed		
Use Class C2 Residential care homes, residential schools, colleges or training centres.			
Staff normally on duty: 1 space/ two staff members Residents: 1 space per 4 bed spaces. Space for the setting down and picking up of residents to minimum dimensions of 7.2m and 3.5m. At least 1 space per 15 bed spaces or less should be for ambulance or mini-bus parking and indicated as parking for disabled people. Student accommodation: 1 space per 4 students resident in the student halls.			

Use Class C3 Dwelling houses and flats

The City Council will seek to ensure that no more than an average of 1.5 off-street car parking spaces per dwelling completed in the City as a whole are provided.

The need for off-street parking will be considered for each development proposal in the light of this target and taking account the following factors:

1. Size and type of housing
2. Density and urban design objectives
3. Likely characteristics of occupants
4. Location, in particular accessibility to non-car forms of transport and local facilities
5. Road safety
6. Amenity considerations

Car-free developments will be encouraged where appropriate.

Use Class C (continued)
Operational Parking Areas for Use Classes C1 and C2: Car park spaces for vehicles used for business purposes only and space to allow for loading and unloading within the site.
The layout of the development site should ensure that delivery and service vehicles can park and manoeuvre safely off the highway. The following operational parking areas should be used as guidelines only.
Use Class C1: Hotels
Staff: 1 space per 2 staff normally present plus 1 space for setting down and picking up of guests
Use Class C2
Operational Staff: 1 space/ two staff members
Hostels
Staff: one car space per 2 staff members Other: one car space per 4 bed spaces

Use Class D		
Parking spaces for non residential employees and customers (non-operational)		
	Central Area	Rest of City
Use Class D1		
Places of worship & church halls	Staff – 1 space per 2 members of staff normally on duty Assessment needed for visitors	
Museums & Art Galleries	Staff – one car space per two members of staff normally on duty Assessment needed for visitors	
Schools	Staff – one car space per two members of staff normally on duty.	
Higher and further education	General guide – 1 space per 2 staff members plus 1 space per 15 students for development over 2500m ² . Transport assessment may be appropriate.	
Hospitals	General guide – 1 space per 4 staff 1 space per 3 daily visitors	
Surgeries & clinics	1 space per medical member of staff and 2 spaces per consulting room.	
Crèche, day nurseries and day centres	1 space per 2 employees. Transport Assessment may be appropriate.	
Use Class D2		
Assembly and leisure (swimming/ fun pools, skating rink, indoor sports and recreation)	Transport Assessment may be appropriate	1 space per 25m ²
Cinemas, music and concert halls		1 space per 5 seats Transport assessment may be appropriate
Stadia: over 1500 seats		1 space per 15 seats

The Transport Assessment should provide details on:

- the location of the site in the city and the existing provision of alternative modes of transport to the car;
- whether the development is new build or a conversion/ redevelopment of an existing building;
- any potential for sharing existing car park spaces on land within walking distance from the development site;
- the numbers of people expected to attend on a regular basis and for any events festivals, ceremonies which attract more visitors than would regularly attend the development.

Use Class D (continued)
Car park spaces for vehicles used for business purposes only and space to allow deliveries and servicing within the site (operational parking)
The layout of the development site should ensure that delivery and service vehicles can park and manoeuvre safely off the highway. The following operational parking areas should be used as guidelines and applied where appropriate.
Use Class D1: Places of worship & church halls, museums & art galleries, Schools, Higher Education, surgeries & clinics, crèche, day nurseries and day centres
Minimum one space for the setting down and picking up of customers/ visitors off the highway.
Use Class D2
Minimum space of 100m ² clear of the highway. one space per member of managerial staff 2 spaces for setting down of visitors

Uses Not Included Above

1. Theatre: Standards as per Use Class D2
2. Amusement arcades/centres: Standards as per Use Class A1
3. Launderettes/ Dry Cleaners: Standards as per Use Class A1
4. Cash and Carry premises:
 - Operational — Minimum 100m² standing space per 1000m² gross floor space plus 50m² per 1000m² additional space
 - Non-Operational — Staff - one car space per two staff plus
Customers - one car space per 25m² gross trading floor space.

~~5. Petrol filling stations, garages, service station:~~

~~Operational — One space for breakdown of towing vehicle if needed plus 4 car spaces (or 4 lorry spaces in the case of commercial vehicle service stations) per each service bay.~~

~~Non-operational — One car space per two employees or 1 car space per 40m² gross floor space whichever is the lesser provision~~

~~Petrol stations must provide adequate queuing facilities clear of the public highway.~~

~~6. Taxi and private hire businesses: To be considered on their merits. Applicants are advised to consult the City Council before drawing up detailed plans.~~

~~7. Scrap yards, car breakers and mineral depots: To be considered on their merits. Applicants are advised to consult the City Council before drawing up detailed plans.~~

~~Cycle Parking Standards~~

~~For all developments over 100m² there should be minimum provision of 3 secure and preferably covered cycle parking spaces~~

~~For development of 1000m² and above, the provision of cycle spaces should follow the basic guideline of 5% of the maximum parking provision for cars.~~

~~Motorcycles~~

~~Any transport assessments and travel plans should indicate the expected level of demand for motorcycle parking and make provision for safe and secure motorcycle parking where appropriate.~~

~~Disabled Peoples Parking~~

~~The City Council will a proportion of parking spaces for disabled people as follows:~~

- ~~1. Where up to 25 spaces are provided, a minimum of one space for disabled people.~~
- ~~2. From 25-100 spaces, one space per 25 or part thereof.~~
- ~~3. Above 100 spaces, 4 spaces plus one space per additional 100 or part thereof.~~

~~In each case, these spaces should be close to the principal entrance.~~

Appendix B: Wildlife Sites

- E4 (1) Chaddesden Wood (LNR), Oakwood;
- E4 (2) Acordis Lagoons, south of Spondon;
- E4 (3) Markeaton Brook System;
- E4 (4) Mickleover Railway Cutting;
- E4 (5) Nutwood and Darley Tip, Darley Abbey (Including the landslip feature);
- E4 (6) Former Friar Gate Station;
- E4 (7) The River Derwent and its banks (including the double meander bend at Holme Nook);
- E4 (8) Sewage Farm Lagoons, south of Spondon;
- E4 (10) A38 Roundabout, Kingsway Hospital, Rowditch;
- E4 (11) Allestree Park LNR and the sandstone outcrop RIGS in Big Wood);
- E4 (12) Alvaston Stream, its margins and mature hedges;
- E4 (13) Boulton Moor Hedges;
- E4 (14) Bramble Brook and Margins, Mickleover;
- E4 (15) The unimproved grassland and scrub habitats at Breadsall Railway Cutting (including the RIG);
- E4 (16) Bunkers Wood, Mickleover;
- E4 (17) The woodland, scrub and unmanaged grasslands at Chellaston Brickworks;
- E4 (18) Acordis Effluent Beds
- E4 (20) The tall herb and scrub areas along part of the former Derby Canal;
- E4 (21) The grassland and hedgerows at Derby Moor Community School Meadow, Littleover;
- E4 (22) The recolonised Gasworks Tip, north of Wilmorton;
- E4 (23) The pond, wetland and unimproved grassland adjacent to the High View (south) Technology Centre, Chaddesden;
- E4 (24) Kedleston Road Hedge, Allestree;
- E4 (25) Kedleston Road Marsh, Allestree;

- E4 (26) Ladybank Wood (Mickleover Spinney)
- E4 (27) Lees Brook and margins, Chaddesden (for both the natural history value of the stream and the geological interest of the stream and valley);
- E4 (28) Lime Lane Wood, Oakwood;
- E4 (30) The scrub, grassland and tall herbs and other recolonised areas at Melbourne Junction, Sinfen;
- E4 (31) Mickleover Golf Course Meadows;
- E4 (32) The woodland at Moor Plantation, Sinfen;
- E4 (33) Nooney's Pond and Wetlands at Alfreton Road;
- E4 (34a) Normanton Scrub and unmown grassland (Sunnydale Park)
- E4 (34b) Normanton Pond with its margins, scrub and tree area (Sunnydale Park)
- E4 (35) The unimproved meadows at the Convent of the Holy Name, Morley Road, Oakwood;
- E4 (36) Radbourne Lane Hedge, Mickleover;
- E4 (37) 'Raleigh Depot' Emergency Water Tank, Sinfen;
- E4 (38) The woodland, mature trees, grassland and water areas at Derby Grammar School, Littleover (former Rykneld Hospital Grounds);
- E4 (39) Wetland, grassland and scrub areas at the former Shardlow Sewage Works, south of Spondon;
- E4 (40) Sinfen Golf Course Pond with associated wetland;
- E4 (41) Rough grassland and wetland at Sinfen Moor Lane Meadows, Sinfen (to the rear of Redwood School);
- E4 (42) Sinfen Moor Lane Stream and margins;
- E4 (43) Spondon Canal Pond;
- E4 (44) The unimproved grassland and wetland at the former Spondon Power Station Meadow;
- E4 (45) West Park Meadow LNR, Spondon (referred to as West Park School by DWT);
- E4 (46) The terrace of the Derwent Floodway, Stoker Flat, Alvaston;
- E4 (47) Watermeadows Ditch and its margins north-east of Darley Abbey;
- E4 (48) Wilmore Road Meadow, Sinfen;

- E4 (53) Alvaston Scrub;
- E4 (55) Beech Wood, Darley Abbey;
- E4 (57) Chaddesden Brook & Mossey Yard Plantation;
- E4 (62) The grassland and hedges off Pastures Hill, Littleover (referred to as Crest Hotel Meadow by DWT);
- E4 (63) Cuttle Brook and margins, Sinfen;
- E4 (64) The mature trees and bankside vegetation within Darley Park;
- E4 (67) Elm Wood, Moor Lane, Sinfen;
- E4 (68) Part of Elvaston Castle LNR (including Elvaston Lane Wood and Greatorex Field);
- E4 (69) Ford Bridge Meadow, Allestree;
- E4 (74) Markeaton Park;
- E4 (75) The mature trees, scrub and grassland at Meadow Lane Bank, Chaddesden;
- E4 (76) Mickleover School pond and margins;
- E4 (84) The mature tree, shrub and grassland areas at Peartree Station;
- E4 (86) Rolls Royce Land
- E4 (89) Herb rich grassland and trees in Sinfen Moor Park;
- E4 (93) Woodlands School hedges and mature trees, Allestree;
- E4 (RIGS1) The shallow depression and underlying glacial deposits within the green wedges in the Sinfen Moor area;
- E4 (RIGS2) The Mercia Mudstone exposure, University of Derby Campus, Kedleston Road, Allestree;
- E4 (RIGS3) The Mercia Mudstone exposure and underlying deposits adjacent to Broadway, Allestree.

nb. The reference numbers of the above Wildlife Sites correspond with those of the Derbyshire Wildlife Sites Register for Derby City produced by the DWT. This is to enable easy cross referencing between the two documents. In some cases, therefore, the numbers do not run consecutively as some sites have been deleted from the DWT Register.

Where Regionally Important Geological Sites (RIGS) lie within the boundaries of Wildlife Sites, they have the same reference. However, there are three RIGS which do not lie within a Wildlife Site and therefore been given separate references, E4 RIGS 1-3.

Appendix C : Parks Hierarchy

City Parks:

Allestree Park;
Markeaton Park.

District Parks:

Alvaston Park;
Chaddesden Park;
Darley Abbey Park (including Derwent Park);
Darley Playing Fields – Parkers Piece, Little Chester;
Oakwood Park and Chaddesden Wood;
Racecourse Ground, Derwent;
Sinfen Park.

Neighbourhood Parks:

Allestree Recreation Ground;
Bass's Recreation Ground;
Bramble Brook Open Space, Devonshire Drive, Mickleover;
Brierfield Way Open Space, Mickleover;
Brunswood Close Recreation Ground, Spondon;
Boulton Lane Recreation Ground (including Allenton Playing Fields);
Chellaston Park, Snellsmoor Lane;
Chester Green Park, Little Chester;
Dale Road Public Open Space, Spondon;
Elvaston Lane Recreation Ground, Alvaston;
Field Lane Recreation Ground, Alvaston;
Fullen's Lock Park, Shelton Lock;
Gravel Pit Lane Recreation Ground, Spondon;
Haven Baulk Lane Recreation Ground, Littleover;
High View Park;
Inglewood Avenue Open Space, Mickleover;
King George V Playing Fields – Clemson's Park, Littleover;
Mackworth Park;
Mackworth Recreation Ground;
Markeaton Recreation Ground – Mundy Pleasure Ground;
Normanton Park;

~~Osmaston Park, Moor Lane, Sinfín;~~
~~Pit Close Lane Recreation Ground, Chellaston;~~
~~Priory Park, Bishops Drive, Oakwood;~~
~~Roe Farm Recreation Ground, Chaddesden;~~
~~Rowditch Recreation Ground, St Luke's;~~
~~Rykeld Recreation Ground, St Luke's;~~
~~Shaftesbury Crescent Open Space, Pear Tree;~~
~~Sinfín Recreation Ground;~~
~~Stockbrook Street Recreation Ground, St Luke's;~~
~~Sunnydale Park, Littleover;~~
~~Sunny Hill Recreation Ground;~~
~~The Arboretum, Rosehill;~~
~~Vicarage Road Recreation Ground, Mickleover;~~
~~Waterford Drive Play Area, Chaddesden;~~
~~Whitehouse Farm Open Space, Shelton Lock.~~

Appendix D : Shopping Centre Hierarchy

- a. The defined City Centre Shopping Area.
- b. The defined Normanton Road / Peartree Road Linear Centre (Policy R8).
- c. The defined District Centres at:
 - Allenton, Allestree (Park Farm), Alvaston, Cavendish, Chaddesden (Nottingham Road), Chellaston, Littleover, Mackworth, Mickleover, Oakwood, Sinfyn and Spondon.
- d. The defined Neighbourhood Centres at:
 - Allenton (Chellaston Road, Elton Road, Nightingale Road);
 - Allestree (Blenheim Drive, Duffield Road);
 - Alvaston (Allestree Street, Brackens Lane, Brighton Road, Crayford Road, Harvey Road, Holbrook Road, Keldholme Lane);
 - Chaddesden (Beaufort Street, Chaddesden Lane, Mercaston Road, Roosevelt Avenue, Scarborough Rise, Sussex Circus, Wiltshire Road, Woods Road);
 - Chellaston (Derby Road);
 - Friar Gate/Markeaton (Ashbourne Road, Friar Gate, Kedleston Road);
 - Littleover (Highfield Road, Heatherton);
 - Mackworth (Edgeware Road, Humbleton Drive);
 - Mickleover (Devonshire Drive, Ladybank Road, Station Road);
 - Oakwood (Vestry Road, Smalley Drive);
 - Rosehill/Pear tree (Balaclava Road, Osmaston Road, St. Thomas' Road, Upper Dale Road);
 - St Luke's (Burton Road, Monk Street, Stockbrook Street, Uttoxeter New Road);
 - Sinfyn (Shakespeare Street, Wordsworth Avenue);
 - Spondon (Dale Road, Edmund Road, Sandringham Road);
 - Sunny Hill (Blagreaves Lane, Browning Circle, Oaklands Avenue, Sunnyhill Avenue);
 - Wilmorton (London Road).