

Our Ref: RP/757/2-7-14

2nd July 2014

Sara Booty
Development Control Team Leader
Neighbourhoods
Derby City Council
The Council House
Corporation Street
Derby
DE1 2FS
(sent by email to: sara.booty@derby.gov.uk)

Dear Sara,

RE: DER/02/14/00198 – Residential scheme at North Avenue, Derby

Further to our meeting on 3rd April and subsequent correspondence, I hereby enclose an amended masterplan which seeks to address the concerns that have been raised by a number of parties. The amendments can be summarised as follows:

- Removal of football pitch from the proposal;
- Re-positioning of site access and reconfiguration of proposed parking;
- Widening of landscape buffer along eastern boundary of the site and additional tree planting to the south east of the site to help screen existing housing from the World Heritage Site;
- Creation of a new footpath link to the river to the east and Nutwood Nature Reserve to the southeast of the site.

I will now discuss the primary issues raised by yourself and other parties during the course of the application process and highlight how we have sought to address these concerns.

Impact on Highway safety

The highway authority raised concerns about the original location of the proposed site access on the 90 degree bend of North Avenue due to forward visibility issues. The access has now been relocated further south along the site frontage on North Avenue, close to the existing ‘turning head’, to increase forward visibility.

Impact on the Green Wedge

The Council has recognised that a number of sites within the Green Wedge will have to be re-designated so as to accommodate the scale of housing required and indeed some of these sites have been granted planning permission already. On behalf of the landowner, we have consistently argued that the site should be removed from the Green Wedge and that development of the site will not have a significant impact on the Green Wedge. However, whilst this view has not changed, the amended plans have sought to address concerns about the proposal in this regard by including a substantial landscape buffer along the eastern boundary of the site and setting built development

further back from this boundary. This will soften views of the new development, particularly in the southeast corner of the site where the access would be located. It would also provide a defensible boundary to preclude any further development of the adjacent land to the east.

Impact on the Derwent Valley Mills World Heritage Site

In the original proposal the proposed playing pitch and the southern part of the access road and adjacent car park were the only elements located inside the Derwent Valley Mills World Heritage Site (WHS) itself, with the rest of the application site located in the buffer zone. The playing pitch has now been removed from the scheme due to a lack of need cited by the Council (see community benefits section below for further details).

This will serve to maintain the existing agricultural landscape within the WHS. The access road now follows a straighter course closer to existing development on North Avenue, and is screened by additional tree planting to the east. Instead of a separate car park parallel parking spaces are included alongside the access road, as this would involve less hard surfacing. These measures will help to ensure that the access road and parking spaces are inconspicuous in the landscape.

Although the proposed housing was wholly outside of the WHS on the previous scheme, in light of comments made by the WHS technical panel regarding the setting of the WHS, we have pulled the housing significantly further back from the WHS boundary, and installed a substantial planting buffer along its length. We can also confirm that all housing will be 2, as opposed to 3 storeys. These measures will help to protect the setting of the WHS. At present, housing development is a feature of the wider landscape surrounding the WHS but it is generally well screened and does not dominate the scene. Public views of the site from within or across the WHS are generally distant. The existing tree belts to the north and west of the site (alongside the A38) can be seen. The existing housing to the south can also be seen, but is softened by established tree planting. The scene is one of generally wooded slopes providing a backdrop to the WHS. The revised scheme will maintain this setting.

The revised scheme also seeks to enhance the setting of the WHS through the provision of tree planting in the field to the south east of the site (to screen existing housing along North Avenue) and through the removal of the 2 existing phone masts on the site. The new tree planting will link Nut Wood with the proposed tree belt to the east of the site and existing tree belt alongside the A38 beyond. This will provide a valuable wildlife corridor and visually enhance the setting of the WHS.

In order to enhance the public's appreciation of the WHS, a new circular footpath is also proposed in the field to the south east of the site, extending as far as the River Derwent and the existing nature reserve.

Overall, the revised scheme seeks to minimise and mitigate any harm to the setting of the WHS as much as possible, to the degree that it can be reasonably considered as "less than substantial harm". Paragraph 134 of the NPPF states that:-

"where a development proposal will lead to less than substantial harm to the significance of a

designated asset, this harm should be weighed against the public benefits of the proposal”

It is considered that the public benefits of a new tree belt to screen existing development, a new footpath to improve public access and appreciation of the WHS, a new play area, a new parking facility for the school, and much needed new housing in the north west of the city (where no other housing is proposed in the new Local Plan), outweigh any limited harm likely to result from the development.

Archaeology

The County Archaeologist has advised that “the application site is crossed by the probable route of the Roman road known as ‘The Street’ between Derby and Buxton (HER 99030). The route of this road at the Derby end is not known with certainty, but the suggested alignment is based on detailed map and landscape analysis by Farnsworth and Whirrity (2006), and can certainly be accorded a reasonable level of trust”. The relevant sections of the Farnsworth and Whirrity study, along with a scan of the HER showing the postulated route of the road across the site indicate that the road ran adjacent to the eastern boundary of the site where the landscape buffer would be located. As there would be no significant excavation in this part of the site it is considered reasonable that any investigatory works could be dealt with by way of condition prior to the approval of reserved matters.

Developer contributions and other community benefits

The applicants are agreeable to the Council’s revised Draft Heads of Terms issued on 24th June 2014 and the following contributions:

Affordable Housing

30% of the units to be provided as affordable housing through an RSL from the Council’s approved list. A split of 80% rented and 20% shared ownership.

Incidental Open Space

The sum of £71,775 to be paid before the commencement date for the provision of, or improvements to, incidental open space, reasonably capable of serving the application site.

Major Open Space

The sum of £100,935 to be paid before the commencement date for the provision of, or improvements to, major public open space reasonably capable of serving the application site.

Public Realm

The sum of £5,040 to be paid before the commencement date for the provision of, or improvements to, public realm within the city centre of Derby.

Highways

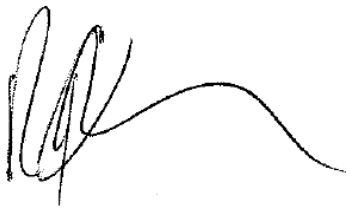
The sum of £55,755 to be paid before the commencement date for the provision of, or improvements to, public transport, cycling and pedestrian facilities within the A6 transport corridor

Legal and Administration Costs

Any legal costs incurred by the Council for preparing and completing the agreement.

I trust that you have sufficient information to consider the amended proposals. If, however, you require any further information, please do not hesitate to contact me. I look forward to hearing from you soon as to when the application is likely to be determined by the Planning Committee.

Yours sincerely



Richard Pigott
Principal Planning Consultant

For and on behalf of Planning Design Practice

cc. Kathryn Armstrong-Prior, Senior Planning Officer