

Planning, Design & Access Statement

Retrospective
planning application
for the retention of
flues on a
commercial building

At

3 Orbis Building, Riverside
Road, Pride Park, DE24 8HY

November 2021

Document Control Sheet

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1 INTRODUCTION

- 1.1 Planning & Design Practice is a town planning and architectural design consultancy consisting of chartered town planners and an architectural design team. The practice operates across England and Wales and has a long track record of success.
- 1.2 We have been instructed by the renters of the site to prepare and submit a retrospective planning application for the retention of chimneys and flues at 3 Orbis Building, Derby, DE24 8HY.
- 1.3 This statement will provide an introduction to the site and its planning history; details of the proposed development; an examination of the planning policy context followed by a detailed discussion of the key planning issues.

2 SITE DESCRIPTION AND PLANNING HISTORY

Site Location

- 2.1 The site is located in the Pride Park commercial area, to the east of Derby city centre, off Riverside Road. The site is accessed from Riverside Road. The chimneys and flues in question were added to the building in July 2021. The occupants were unaware that the additions would require planning permission.



Figure 1 - Aerial image of the area with the site edged in red



Figure 2 - Looking southwest towards the application site, the flues in question are highlighted in red

2.2 Pride Park is a modern business park of some 80 hectares constructed over the last fifteen years or so on former railway land, gas works, gravel extraction works and landfill.

Relevant Planning History

Planning ref.	Proposal	Decision
19/00452/FUL	External alterations to include installation of an entrance canopy, new windows and doors and alterations to the existing car park to increase the number of spaces	Approved May 2019
10/04/01856	Insertion Of New Window In North West Elevation	Approved June 2005

3 THE PROPOSED DEVELOPMENT

3.1 The proposals seek retrospective planning approval for the following additions to the application site:

- 2 sets of extraction chimneys/flues running up the north east side of the building to just above eaves level; and
- 2 chimneys on the ridge of the roof.

3.2 The 2 x 2 chimneys running up to the roof via the northeast wall are exhausts for venting gas out of 3 sterility testing isolators in the ground floor. This gas sterilises the work equipment as the equipment is used for testing sterile pharmaceutical products and must be free from contamination.

3.3 The 2 chimneys further back on the roof are the exhausts for 4 fume cupboards on the first floor. These are used by company staff for working safely with small amounts of chemicals like acids and solvents etc.



Figure 3 – The new flues on the north east side of the Orbis building



Figure 4 – The Orbis building prior to the flues and chimneys being added

4 PLANNING POLICY CONTEXT

- 4.1** The purpose of this section is to set out the relevant planning policy background which is pertinent to the site and proposed development, as well as identifying any key studies or reports which will assist in the determination of this application.
- 4.2** Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.3** The Derby City Local Plan Part 1 – Core Strategy was adopted by the Council on Wednesday 25 January 2017. The Local Plan Part 1 now forms the statutory development plan for the City, alongside the remaining ‘saved’ policies of the City of Derby Local Plan Review (2006). It provides both the development strategy for the City up to 2028 and the policies which will be used in determining planning applications.
- 4.4** Saved policy GD5 Amenity states that *“permission will 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”*, which in turn is supported by paragraph 130 of the National Planning Policy Framework, which states that *“planning policies and decisions should ensure that developments [create] a high standard of amenity for existing and future users”*.
- 4.5** Furthermore, policy CP10 of the Derby Core Strategy states that *“New business and industrial development in other areas of the city will be permitted provided that it (inter alia): ...b) would not adversely impact upon the amenity of nearby residents and is well integrated into the urban area; and c) is well integrated into the urban area.”*

5 KEY PLANNING ISSUES

Principle of Development

- 5.1** The chimneys and flues are situated on the northeast face of the building, and the chimneys are found on the curved ridge of the roof. In accordance with saved policy GD5, CS Policy CP10 and paragraph 130 of the NPPF, the nature of the flues guarantees very minimal impact on the visual amenity of the local area. Neither the flues nor the chimneys obtrude in an intrusive manner. The chimneys found on the roof are mostly hidden from passing pedestrians at ground level. Their design is very in keeping with the surrounding area and is integrated into the existing building design well.
- 5.2** Policy CP10 designates Pride Park as one of several “*existing employment areas that are fundamental to the operation of the local economy*”. Given this context, in addition to the minimal impact the flues and chimneys have had on the amenity of the area, the flues and chimneys that have been added to the existing building are modest in design and height and do not adversely affect the character of this commercialised area.
- 5.3** The proposal therefore complies with all relevant local and national policies.

6 CONCLUSIONS

- 6.1** Retrospective planning permission is sought for the retention of flues and chimneys at 3 Orbis Building, Derby. The proposals are consistent with the council’s desire to maintain sustainable patterns of development that are in keeping with the surrounding areas and will not adversely affect neighbouring occupants.
- 6.2** The size and style of the chimneys and flues mean that they do not have adverse effects on the amenity of the surrounding area, whilst their design is in keeping with the nature of the area and the commercial locality in which it is situated.
- 6.3** The proposal does not raise any other significant planning concerns. It is respectfully requested that retrospective planning permission be granted.



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