

# **AMBER VALLEY BOROUGH COUNCIL**

## **LAND TO THE NORTH OF MUNDY STREET, HEANOR** **- STATEMENT OF DEVELOPMENT PRINCIPLES**

### **1 Introduction**

Land to the north of Mundy Street in Heanor includes the former Derby College (previously South East Derbyshire College and Heanor Grammar School), which closed in 2013. Proposals to establish a new studio school on the site were unsuccessful and Derby College confirmed they would be looking to dispose of the site and were seeking expressions of interest to acquire the site.

A nomination in February 2015 by the St Lawrence Parish Church Parochial Church Council, to list the former Derby College/South East Derbyshire College/Heanor Grammar School site as an Asset of Community Value under the Localism Act 2011, was successful and the site was included on the Assets of Community Value Register for Amber Valley on 23 April 2015.

Following formal notification by Derby College on 27 April 2015 of their intention to dispose of the site, an expression of interest to acquire the site by the St Lawrence Parish Church Parochial Church Council was received by the Borough Council on 3 June 2015. The effect of this expression of interest was to trigger the 6 months 'full moratorium period', preventing any disposal of the site prior to 27 October 2015.

Derby College have subsequently received a number of bids to acquire the site and on 22 April 2016, advised the Borough Council that it had entered into a formal contract to dispose of the site. Following the completion of sale, the new owners of the site met with Council officers for initial discussions regarding the potential use/development of the site and have subsequently met with a number of local councillors and with representatives of the Heanor Grammar School Action Group.

Whilst any proposals in relation to the site would need to be considered against the relevant national and local planning policies and guidance and other material planning considerations, the Borough Council considers that the site, together with adjoining land, presents an opportunity to secure a comprehensive form of development that can make a significant contribution to the regeneration of Heanor town centre. There is also an opportunity to address a number of issues raised through a recent community survey as to what Heanor needs and what should happen on the site itself.

In order to maximise these opportunities, the Council considers that a Statement of Development Principles should be prepared, which would:-

- Establish a clear vision for land use and development
- Provide detailed guidance against which specific development proposals can be considered, alongside current planning policies and guidance and other material planning considerations.
- Give greater certainty to existing landowners, prospective developers and the local community as to the appropriate form and scale of development.

The approved Statement of Development Principles can then be taken into account, alongside national and local planning policies and guidance and other material planning considerations, in the determination of planning applications within the area of land.

## **2 Site Characteristics & Ownership**

The land, which comprises approximately 1 hectare, is located at the eastern end of Heanor Town Centre and is bounded by Church Street, Ilkeston Road, Mundy Street and Wilmot Street) (see plan at Appendix A).

The northern frontage to Church Street comprises post-war buildings, including a retail unit, the former science block of Derby College and Heanor Conservative Club. The eastern frontage to Ilkeston Road is largely open, comprising an area used as car parking area for the former College. The southern frontage facing Mundy Street comprises the main building of the former College, a Grade II Listed Building, together with a number of trees. The western frontage to Wilmot Street comprises retail units, a hot food takeaway outlet and the former Heanor Fire Station.

The land falls wholly within the boundary of Heanor Town Centre, as defined in the Adopted Amber Valley Borough Local Plan 2006 (saved policy TP1).

The majority of the land comprises the buildings of the former Derby College/South East Derbyshire College/Heanor Grammar School and associated land. The ownership of the later additional buildings and the car parking area is on a freehold basis, whilst the older buildings of the former Grammar School are on a leasehold basis. The remaining parts of the land are in separate ownerships.

Details of land ownership are shown on the plan at Appendix B.

The principal existing vehicular access to the land, serving the car parking area to the former Derby College/South East Derbyshire College/Heanor Grammar School, is via the eastern frontage to Ilkeston Road, with a secondary vehicular access to this area from the southern frontage on Mundy Street. There are also two existing pedestrian accesses to this area and other existing vehicular and pedestrian accesses to other parts of the land.

The existing means of access to the site are shown on the plan at Appendix C.

### **3 Relevant National & Local Planning Policies & Guidance**

Any proposals for the re-use or redevelopment of the land will need to be considered against the relevant national and local planning policies and guidance, depending on the form and scale of development proposed.

#### National Planning Policies & Guidance

Any development proposals will need to be considered against the relevant national policies in the National Planning Policy Framework (NPPF) and the supporting guidance in the National Planning Policy Guidance (NPPG). In particular, proposals will need to be considered against Chapter 2 'Ensuring the Vitality of Town Centres' and Chapter 12 'Conserving and Enhancing the Historic Environment' in the NPPF.

#### Adopted Amber Valley Borough Local Plan 2006

Saved policy TC1 of the Adopted Local Plan sets out a range of potential uses for land within the Borough's town centres.

Saved policy TC9 of the Adopted Local Plan sets out a range of criteria against which any development proposals within the Borough's town centres will need to be assessed, to ensure that development is of a high quality.

Given that the buildings of the former Derby College/South East Derbyshire College/Hearon Grammar School and its curtilage comprise a Grade 2 Listed Building, any development proposals will also need to be considered against saved policies EN23, EN24 and EN25 of the Adopted Local Plan.

#### Adopted Supplementary Planning Documents

Any development proposals will also need to be considered against the local guidance set out in the relevant Supplementary Planning Documents (SPDs) adopted by the Borough Council. Depending on the form and scale of development, proposals may need to comply with the following SPDs:-

- Residential Development
- Development and Recreation Open Space
- The Provision of Affordable Housing Through the Development Process
- Design for Community Safety
- Listed Buildings and Buildings in Conservation Areas
- Shop Fronts and Advertisements.

## 4 Development Opportunities & Constraints & Potential Land Uses

### Opportunities

The land offers a number of opportunities for uses and/or development that could contribute to the regeneration of Heanor Town Centre and address issues raised by the local community. Potential benefits could include:-

- the re-use of redundant and underused buildings and land
- protection and enhancement of a Listed Building
- additional retail and commercial units, including an indoor market
- a range of additional housing development
- the relocation of existing small businesses from unsuitable locations elsewhere within the town
- the establishment of new craft units or other small businesses
- additional leisure and community facilities, including a cinema and/or theatre
- the provision of flexible space within buildings for multi-purpose uses
- improvements to the highway network at the existing signalised junction of Church Street/Ilkeston Road
- improving links between the town centre and a) existing residential areas to the south and b) Heanor Memorial Park to the east.

### Constraints

As well as offering a range of opportunities, there are a number of potential constraints to development, including:-

- the need to retain trees protected by a Tree Preservation Order
- securing a comprehensive form of development given multiple land ownerships
- the need to retain and secure the restoration of the existing Grade 2 Listed Building, to preserve its key features and to safeguard its setting.
- a limited demand for commercial development, given the location is away from the strategic transport network.
- the need to maintain sufficient car parking within the site to meet operational requirements.

## Potential Land Uses

Saved policy TC1 of the Adopted Local Plan includes the following uses as being appropriate in principle within a defined Town Centre:-

- Residential (C3)
- Residential Institutions (C2)
- Hotels (C1)
- Business (B1)
- Shops (A1)
- Financial & Professional Services A2
- Restaurant & Cafes (A3)
- Non-Residential Institutions (D1)
- Assembly & Leisure (D2)

The provision of residential development within the land could help to regenerate Heanor town centre through increased demand for retail and other facilities, as well as securing a viable use for the Grade 2 Listed Building and any other buildings to be retained.

The site could offer potential for small business (B1) uses, including offices or workshop/studios, either to secure the relocation of existing firms from less suitable locations, or to enable the establishment of new businesses.

The provision of small-scale retail uses (A1) and/or restaurant/cafes (A3), together with local community facilities, could help to make Heanor town centre more attractive to local residents and to reduce out-commuting to other centres for retail and other purposes.

Saved policy TC1 also refers to the potential for Drinking Establishments (A4) and Hot Food Takeaways (A5) within defined Town Centres. However, given the number of existing properties within these use classes within Heanor town centre, the further provision of these uses within the land would not be considered to be appropriate.

## 5 Design Principles

Any development proposals for the site will need to take into account the following elements in relation to design:-

Character  
Density  
Scale & Height  
Materials  
Landscaping & Open Space  
Community Safety  
Accessibility, Parking & Servicing  
Dwelling Mix

### Character

The character of Heanor town centre as a whole is varied, with a mix of early C20 y development and more modern post-war buildings.

The land itself is dominated by the main former Derby College building, which is a Grade 2 Listed Building.

The reasons for the Listed Building designation are as follows:-

- it is a notable example of the work of George Widdows, who is nationally acknowledged as a leading designer of schools in the early C20 and an exponent of advanced ideas on school planning and hygiene
- it retains all of the notable elements of its original design and has seen little alteration
- The interior retains a number of original features of special interest, including panelling and its most notable feature, the former school hall with its large mural (triptych) designed as a war memorial by the nationally important painter Frederick Cayley Robinson.

Any development proposals will need to have due regard to the significance of the Grade 2 Listed Building and to respect its original design, both internally and externally, in particular by preserving 'in situ' and enabling public access to the mural (triptych) and preserving the panelling, stained glass windows and other key features.

In addition, any development proposals will also need to have regard to the setting of St Lawrence Parish Church on the north side of Church Street, which is a Grade 2\* Listed Building.

## Density

The density of any new development within the land should generally reflect that of existing buildings within the site and the immediately surrounding area, which range from medium to high density development, providing that any new buildings would not detract from the existing Grade 2 Listed Building and its setting within the land and the setting of the St Lawrence Church (Grade 2\* Listed Building).

## Scale & Height

The scale of development will need to take into account the location of the land in a prominent position on the top of a hill and being clearly visible from the approaches to the town Centre from the east (Derby Road) and the south east (Ilkeston Road). Development should be limited to a maximum of 4 storeys and should not exceed the height of the existing built frontages on Market Street, Ilkeston Road, Mundy Street and Wilmot Street. The scale and height of any new buildings in the south-east corner of the land, fronting the entrance to Heanor Memorial Park, will need to have careful regard to the need to retain an open visual aspect and to maintain and strengthening the existing pedestrian links between the Park and the town centre.

## Materials

Any new development will need to successfully integrate with its surroundings and materials should therefore reflect the local vernacular, which could include stone, red brick and natural slate.

## Landscaping & Open Space

Landscaping and boundary treatment should be of high quality and integral to the development, in particular to the rear of existing and new buildings and within any communal parking and servicing areas.

Any development proposals for residential development will need to either provide or make an appropriate contribution towards the provision of public open space, having regard to the Borough Council's Adopted Supplementary Planning Document (SPD) in relation to 'Development & Recreation Open Space'.

## Community Safety

Any development proposals will need to reflect the guidance in the Borough Council's Adopted Supplementary Planning Document (SPD) in relation to 'Design for Community Safety'. In particular, the provision of any communal parking areas will need to be overlooked to provide a natural element of security to deter crime and anti-social behaviour.

### Accessibility, Parking & Servicing

The existing principal means of vehicular access to the land is from the eastern frontage to Ilkeston Road, although a comprehensive form of development could enable additional or alternative vehicular access points.

The existing signalised junction at Church Street/Ilkeston Road suffers from congestion. Any development proposals would therefore need to ensure that there would be no significant adverse impact on the safety and smooth operation of this junction, or on other elements of the surrounding highway network. There is also the opportunity through redevelopment proposals to secure an improvement to the layout and design of the Church Street/Ilkeston Road junction, as a 'gateway' to the town centre from the east/south-east.

Development offers the potential to improve pedestrian access to the land itself and to enhance existing pedestrian routes between the town centre and existing residential areas to the south of the site and Heanor Memorial Park to the east of Ilkeston Road.

Parking and servicing arrangements for any new development will need to be provided in accordance with the specific requirements for individual land uses.

There may also be the opportunity to establish additional public car parking provision within the site, depending on the precise mix of uses and development.

### Dwelling Mix

Any proposals for residential development, either through the re-use of existing buildings and/or new dwellings, should include an appropriate range of size and type of accommodation to meet local housing needs and to make an effective contribution to regeneration through additional demand for retail and other facilities within Heanor town centre.

## **6 Development Requirements**

In order to ensure a comprehensive form and scale of development, with a range of appropriate land uses and forms of development that reflect both the opportunities and constraints in relation to the site, a masterplan led approach to development will be encouraged.

Any masterplan should include details of the following:-

- the range of proposed uses on the site
- how the different parts of the site will link together
- the scale, height and density of proposed development
- the means of vehicular access to the site and any improvements to existing highway infrastructure
- measures to retain and enhance pedestrian access to and movement through the site
- the protection and enhancement of the Grade 2 Listed Building of the former Derby College/South East Derbyshire College/Heanor Grammar School, including the preservation of and securing public access to its key features and safeguarding its setting within the land, as well as safeguarding the setting of the Grade 2\* Listed Building at St Lawrence Church.

Any planning application(s) will need to be accompanied by a range of supporting information, depending on the scale and nature of any development proposals, to enable the proposals to be considered against the relevant national and local planning policies and guidance and other material planning considerations. In particular, given the need to protect the existing Grade 2 Listed Building within the site and its setting, plus the setting of St Lawrence Church (Grade 2\* Listed Building), this will need to include a detailed heritage impact assessment.