

**PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON 2 OCTOBER 2018**

**I N D E X**

<b>Page No</b>	<b>Minute No</b>	<b>Heading</b>
1	251	Apologies for Absence and Substitutions
1	252	Declarations of Interest
1	253	Minutes of Last Meeting
2	254	Development Management Applications
5	255	Planning Appeals – Lodged & Determined
6	256	Urgent Business – Open Session

## PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON 2 OCTOBER 2018

#### **Present:**

Councillor H Laws .....	Chair
Councillor B Barnes .....	Vice-Chair
Councillor P Antcliff	Councillor C D Huckerby
“ W Armitage	“ C Hunt
“ S Boyle	“ A Powell
“ G Butler	“ B Ridgway
“ C Cupit	“ K Rouse
“ P Elliott	“ C Smith
“ R Hall	

#### Substitutes Present:

Councillor J Ridgway acted as substitute for Councillor S Peters

#### Also Present:

Adrian Kirkham	- Planning Manager – Development Management
Steve Kimberley	- Principal Planning Officer
Jim Fieldsend	- Team Leader Solicitor (non contentious)
Jenny Owen	- Legal Executive
Donna Cairns	- Senior Governance Officer

#### **251 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors A Cooper, A Holmes and S Peters.

The meeting was advised that Councillor J Ridgway would act as substitute for Councillor S Peters.

#### **252 Declarations of Interest**

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

No declarations were made at the meeting.

#### **253 Minutes of Last Meeting**

RESOLVED – That the Minutes of the last meeting of the Planning Committee held on 4 September 2018 be approved as a correct record and signed by the Chair.

**254 Development Management Applications**

The Committee considered Report No PM/11/18-19/AK of the Planning Manager – Development Management together with visual presentations for each of the following applications.

**NED/18/00554/FL**

The construction of a first floor gabled side extension with rear facing dormer windows to provide an additional bedroom in the roofspace at 29 Hilltop Road, Dronfield for Mr Ben Dowle.

It was noted that a motion to approve the application was made at the last meeting of the Committee which upon being put to a vote was lost. However further information was presented to the Committee and Members could consider the application afresh.

Members were advised that Council Procedure Rule 13.2 prevented a motion in similar terms to one rejected within the last six months being made again. It was moved and seconded that this procedure rule be suspended in accordance with Council Procedure Rule 23 in order to allow Members to have the opportunity to consider all options when hearing the application at this meeting.

**RESOLVED** – That Council Procedure Rule 13.2 be suspended for the remainder of the meeting, in accordance with Council Procedure Rule 23.

The Committee was directed to the recent late comments/update report which had been issued the afternoon prior to the meeting and were advised of further late comments/images at the meeting which were included in the Planning Manager's presentation.

Three objectors exercised their right to attend the meeting and spoke against the application.

One supporter exercised their right to attend the meeting and spoke in favour of the application.

The applicant and their agent exercised their right to attend the meeting and spoke in support of the application.

Members considered the application having regard to the impact of the proposal on the character and appearance of the site and its impact upon the privacy and amenity of neighbouring occupiers.

**RESOLVED** – That application number NED/18/00554/FL be approved with the final wording of conditions delegated to the Planning Manager.

- 1 The development hereby permitted shall be started within 3 years from the date of this permission.

- 2 The development hereby approved shall be carried out in accordance with the submitted drawings received 29/05/2018; unless otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures and unless otherwise required by any condition contained in this decision notice.
- 3 The proposed materials shall match those of the existing building as closely as possible.

**NED/18/00359/FL**

Erection of timber drying facility and change of use of agricultural building for associated storage purposes with improvements to access track (Amended Details) Averill Farm Evershill Lane Morton Alfreton DE55 6HB for Midlands Biomass Solutions Ltd.

The Committee were advised that Morton Parish Council had requested the application be deferred as they had not received an invitation to attend and speak on the application. It was moved and seconded that the application be deferred to enable all parties an opportunity to attend the meeting.

**RESOLVED** – That application number NED/18/00359/FL be deferred to the next meeting.

**NED/17/00874/FL**

Full application for the use of a redundant quarry for clay pigeon shooting purposes for no more than 28 days in any calendar year and including creation of car parking area for use by participants (amended title) on land south of Quarry Farm, Freebirch, East Moor for Mr P Pollard.

The Committee was directed to the recent late comments/update report which had been issued the afternoon prior to the meeting.

Three objectors exercised their right to attend the meeting and spoke against the application.

The applicant exercised their right to attend the meeting and spoke in support of the application.

Members considered the application having regard to the impact on the character of the area; impact on wildlife, and highway considerations.

**RESOLVED** – That application number NED/17/00874/FL be approved with the final wording of conditions delegated to the Planning Manager.

- 1 The site shall only be used for clay pigeon shooting or any other form of shooting for not more than 28 days in total in any calendar year.
- 2 The car park hereby approved shall only be used in connection with the use of the site for clay pigeon shooting or any other form of shooting as per the specifications set out in condition No. 1 above and for no other purpose.

- 3 The shooting hereby permitted shall only be undertaken between the hours of 09:00 and 17:00 on any day.
- 4 There shall be no lighting installed within/around or on the car park hereby approved at any time.
- 5 Within 56 days of the date of this permission, unless an alternative timetable is agreed in writing by the Local Planning Authority, a plan shall be submitted to and be agreed in writing by the Local Planning Authority showing the final shooting positions to be used together with a shoot management and mitigation plan. Shooting on the site shall then only operate fully in accordance with the approved management and mitigation plan.
- 6 Within 56 days of the date of this permission a revegetation scheme (to revegetate areas not covered by the car park but where materials have been moved to create the car park) (as shown on the Derbyshire Wildlife Trust plan dated 9th November 2017), including a timetable for its implementation, shall be submitted to and be approved in writing by the Local Planning Authority. The scheme shall then be carried out as agreed and then the revegetated areas retained as such thereafter.

**NED/18/00685/FL**

Proposal of a new single storey 3 bed dwelling to the rear garden of 17 Green Lea with associated landscape and access - 17 Green Lea Dronfield Woodhouse Dronfield S18 8YA for Mr & Mrs Kavanagh.

The Committee was directed to the recent late comments/update report which had been issued the afternoon prior to the meeting.

Two objectors exercised their right to attend the meeting and spoke against the application.

The agent for the applicant exercised their right to attend the meeting and spoke in support of the application.

Members considered the application having regard to the suitability of the proposal in this location in policy terms, its effect on the character of the site and the surrounding area, the amenity of neighbouring uses and highway safety issues.

**RESOLVED** – That application number NED/18/00685/FL be refused contrary to officer recommendation on the grounds set out below.

1. The application is considered to be unacceptable as, due to the size of the proposed dwelling when set against the size of the application site, it would represent overdevelopment leading to a cramped form of development that fails to be sympathetic to the overriding character of the area. In addition, the level of private amenity space that would be created would fail to provide a high standard of amenity for existing and future users.

As such, the development is contrary to policies GS1, GS5, BE1 and H12 of the North East Derbyshire Local Plan and policies SS1, SS7 and SDC12 of the North East Derbyshire Local Plan (Publication Draft) (2014 -2034) and the policies of the NPPF when read as a whole.

2. The application is considered to be unacceptable as the proximity of the new dwelling to existing units and its design in respect of the size and location of new openings would unacceptably impact on the amenity of adjoining residential units contrary to policies GS5 and H12 of the North East Derbyshire Local Plan and policy SDC12 of the North East Derbyshire Local Plan (Publication Draft) (2014 - 2034) and the policies of the NPPF when read as a whole.

**NED/18/00589/FL**

Change of use of field to equestrian, moving indoor arena from Building 2 to building 4 at Lower Delves Farm Pit Lane Shirland Alfreton DE55 6AU for Miss Elizabeth Scott.

Members considered the application having regard to the suitability of the proposal in this location in policy terms, its effect on the character of the site and the surrounding area, the amenity of neighbouring uses and highway safety issues.

**RESOLVED** – That application number NED/18/00589/FL be approved with the final wording of conditions delegated to the Planning Manager.

- 1 The development hereby permitted shall be started within three years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the submitted plans received 27 September 2016, unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.
- 3 Within 28 days of the development hereby approved commencing space shall be provided within the site curtilage for the site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading / unloading and manoeuvring of goods vehicles, designed, laid out and constructed in accordance with a scheme that shall have been first agreed in writing by the Local Planning Authority. The agreed scheme shall then be retained as agreed for the duration of all/any construction works.
- 4 The premises, the subject of the application, shall not be first used for the permitted activities until the on-site parking spaces (each measuring a minimum of 2.4m x 4.8m) have been provided laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.
- 5 No vehicle(s), trailers, horse boxes or other storage buildings shall be located, parked or stored on the site except as in accord with a scheme that shall have been first agreed in writing by the Local Planning Authority.

- 6 There shall be no stabling of horses permitted in building 4, as shown on the submitted plans, and building 2, as shown on the submitted plans, shall not be used as an indoor riding arena.

**255 Planning Appeals Lodged and Determined**

The Committee considered Report No PM/12/18-19/AK of the Planning Manager – Development Management.

The following appeals had been lodged:-

Mr Pratt – Application for conversion of police office and extension to front at Police House, Town End, Shirland (17/01288/FL)

Mr Cooper – Application for prior approval of proposed change of use of agricultural building to 1no dwellinghouse with associated operational development at Land And Buildings Known As Springslane Farm On The South Side Of Lindway Lane, Brackenfield (18/00311/CUPDMB)

Mr Todd – Application for change of use from C3 (Residential) to a mixed (Sui Generis) use including weddings, private functions and events (Listed Building/Conservation Area) (17/01332/FL) AND Application for listed building consent for alterations associated with change of use from C3 (Residential) to a mixed (Sui Generis) use (Listed Building/Conservation Area) (17/01333/LB) at Barlow Woodseats Hall, Johnnygate Lane, Barlow

Ian and Robert Purdy – Application for erection of two detached stone built dwellings with attached garages on the land to the east (Conservation area) (Affecting Setting of a Listed Building) at 1 Stone Close, Coal Aston, Dronfield (18/00309/FL)

The following appeals had been dismissed:-

Mr Ducker – Application to raise the ridge height of the dwelling and install two dormer windows to create a second floor bedroom at 17 Arundel Close, Dronfield Woodhouse (18/00142/FLH)

No appeals have been allowed or withdrawn.

RESOLVED – That the report setting out the appeals lodged and determined within the previous month be noted.

**256 Urgent Business**

There was no urgent business considered at this meeting.