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Supplementary Agenda



**North East
Derbyshire
District Council**

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Date: 21 June 2021

To: **Members of the Planning Committee**

Please attend a meeting of the Planning Committee to be held on **Tuesday, 29 June 2021 at 10.00 am in the Killamarsh Sports Centre, Stanley Street, Killamarsh S21 1EL.**

******(ITEM 4 - 20/01005FL - CALOW WILL BE CONSIDERED IN THE MORNING. THE OTHER APPLICATIONS AFTER 12.30PM)******

If you attend this meeting then you will be deemed to have understood and accepted the need to follow the appropriate Social Distancing and Health and Safety measures for the meeting. These will be explained to Members and all others attending the Meeting upon their arrival at Killamarsh Sports Centre.

As part of the Social Distancing and Health and Safety measures, a maximum of **twenty** members of the public can attend this meeting at any one time. In order to ensure this, you will be required to register your interest to attend and in particular, if you wish to attend for a specific item. The arrangements for this are explained below.

Yours sincerely

A handwritten signature in black ink, reading "Sarah Skeneberg".

Joint Head of Corporate Governance and Monitoring Officer

Members of the Committee

Conservative Group	Labour Group
Councillor Diana Ruff Councillor Alan Powell Councillor William Armitage Councillor Peter Elliott Councillor Mark Foster Councillor Heather Liggett Councillor Maureen Potts	Councillor Lee Hartshorne Councillor Maggie Jones Councillor Jacqueline Ridgway Councillor Kathy Rouse
Liberal Democrat Group	Independent Group
Councillor David Hancock	Councillor Andrew Cooper

TO MEMBERS OF THE PUBLIC WISHING TO ATTEND THE MEETING

If you would like to attend this meeting then please contact: Alan Maher 01246 217391 to register your request.

Health and Safety Measures

- This meeting will be held fully in person, as such the venue has been assessed for capacity in order to arrange safety of all present.
- Social distancing will be observed at all times.
- All members of the Public attending the meeting as asked to wear a face covering (unless exempt) for the duration of the meeting.
- Members of the Planning Committee will be permitted to remove masks when seated in order to effectively engage in the meeting.
- Speakers will be permitted to remove masks when addressing the Committee.
- Microphone covers will be used where possible. If you use a microphone with a cover on, you will be asked to remove the cover and dispose of it when you have finished speaking.
- One way systems will be used to assist in social distancing.
- The room will be well ventilated in accordance with risk assessments.
- Hand sanitiser will be available for all to use and the room and equipment will be sanitised between sittings.

Equality and Diversity

- A hearing loop is not available for this meeting.
- If an elected member, or public attendee requires the team to make reasonable adjustments to enable them to participate/access the meeting, please contact Alan Maher at least 3 days in advance of the meeting to discuss how we may assist.
- An audio recording of the meeting will be taken and uploaded retrospectively to the Council's website.

AGENDA

9 Late Representations - Summary Update Report

(Planning Manager – Development Management)
TO FOLLOW



North East
Derbyshire
District Council

***We speak
your language***

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

***Hablamos su
idioma***

Slovak

***Rozprávame Vaším
jazykom***

Chinese

我们会说你的语言

If you require
this agenda in
large print

or another
format
please call
us on

**01246
217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

Planning Committee 29th June 2021

SUMMARY OF LATE COMMENTS/REPORT UPDATE

The aim of this report is to seek to avoid the need for lengthy verbal updates that Planning Officers have sometimes needed to provide in the past at the Planning Committee. In consultation with the Chair, it has been decided that on the evening before committee a summary of all the late comments/representations received so far will be emailed to the Committee Members by the Governance Team.

It is possible that verbal updates will still be required at the meeting as sometimes comments are received at the last minute or Officers may wish to amend their recommendations: however Officers will seek to keep verbal updates to a minimum.

At the meeting Officers will only refer briefly to any key points of the case in the summary that has been emailed, as well as providing the usual verbal update for any additional last minute items.

If Members have any queries about the comments or the application itself please feel free to contact the relevant case officer given beneath the title of each summary below.

PARISH: Calow

APPLICATION: 20/01005/FL

CASE OFFICER: Adrian Kirkham

1. SOURCE OF COMMENTS: Email from objector (Redfern)

DATE RECEIVED: 12 June 2021

SUMMARY:

Looking at dv349(1)sko8 and the revised drawing they look like they will build over the existing sewer as well as moving the prow.

OFFICER COMMENTS:

The application is in outline with only access details being considered. For clarity the submitted layout plan is indicative only. The relevant permissions of the water authority and DCC will be required to build over any sewer and move any footpaths.

PARISH: Unstone

APPLICATION: 20/01124/FL

CASE OFFICER: Phil Slater

1. SOURCE OF COMMENTS: Jane Singleton

DATE RECEIVED: 14.06.2021

SUMMARY:

I ask the Planning Committee to REFUSE this application for the same three reasons as last time because despite what has been stated by the developer, all three reasons still apply. They are harm to the openness of the Green Belt and no proven exceptional circumstances to allow development upon an open space beyond the settlement development limit of the village, cumulative inadequacy of car parking and flood risk.

Flood risk in this location must be taken seriously. Since 1990, four significant flood events have occurred. (December 1990, October 1998, June 2007 and November 2019) In response to what has been stated by the agent acting on behalf of the developer (see below relevant paragraphs), flood risk **has not** been mitigated by the 'water board' because the 'water board' do not maintain the drainage apparatus at the Fleur de Lys. The culvert referred to is owned by Network Rail. The rest of the system is not the responsibility of any 'water board'.

A liner was installed by Network Rail to strengthen their old brick culvert which runs through the railway embankment and which dates back to the 1860s. This culvert brings water from acres of farmland into an ancient sump or chamber which then drains into a smaller diameter land drain.

The system remains as it was downstream from the culvert. No upgrade to mitigate future flood risk has occurred. Whilst Network Rail cleared the chamber to gain access to their culvert, the chamber still needs regular maintenance. The developer has now erected a 1.8 metre fence with no means of access to the chamber and land drain. It is behind the fence. Access to maintain it by use of a vacuum tanker would be impossible if today heavy rainfall and field debris filled the chamber and blocked the downstream land drain. The 'water board' will not be monitoring this in future. No one will. It is only likely to be noticed when water overflows and runs under the fence towards the properties. By then it will be too late to alleviate a flood situation.

The plans show a 'culvert access path', yet the recently erected fence is continuous around the site.

The situation on the ground is not as the developer has described below and should be investigated by the LLFA before any decision is taken on this planning application. Councillor Alex Dale has knowledge of the ownership of the drainage apparatus at this site and was involved in assisting residents in the 2019 floods at the Fleur de Lys.





Photos above submitted by local resident.

2. SOURCE OF COMMENTS: Agent

DATE RECEIVED: 22.06.2021

SUMMARY

The fence was erected for security etc, with the intention to leave a service / maintenance access so the culvert could be maintained etc. However the contractor had fenced through, works is currently been undertaken to reopen the service access, see attached photos (below) of this works in progress.





Photos above submitted by the agent

Officer comments

Officers have visited the site and can confirm that a gate has been installed to enable access to the culvert as shown on the submitted layout plan. The fencing erected does not require planning permission

PARISH: Eckington

APPLICATION: 20/01305/FL

CASE OFFICER: Aspbury Planning

1. SOURCE OF COMMENTS: Craig Eyre, Bramley Moor Farm, Marsh Lane

DATE RECEIVED: 12.06.2021

SUMMARY:

The initial grievances still stand. The developer has already built three properties which overlook the farmhouse and have blocked off a lovely meadow view, they are not up keeping with the surrounding properties in the area and are ugly, plain and regimental.

The amount of noise and dust over the period of the building was unacceptable and any complaints registered went unheeded. There was a site light on at night that shone through everybody's windows and it was not moved.

Allowing another 4 properties with off street parking on the site of the old Butchers Arms, which has been there for over a hundred years is not fair on the surrounding houses, as these hearings are supposed to be for everyones' benefit, not just the contractor but a way for the planning office to understand and hear the concerns of people whom are affected by such developments, I really hope the outcome is acceptable for the neighbouring houses and not just the developer.

By adding another 4 houses another 8 cars will be added. The site is simply not big enough, the congestion on the junction where the Butchers Arms stands and on Marsh Lane is congested enough already as it's a place where parents park to take children to the nearby school.

Finally to allow the closure of a public right of way which people have used for hundreds of years is totally unacceptable. There are two public rights of way which run over land at Bramley Moor Farm. Can these be closed too to make it more private for our family? By closing the footpath more walkers will be diverted onto the objector's land and this is not fair on our neighbours or the walkers or ourselves.

OFFICER COMMENTS:

The issue of retaining a view is not a material planning matter. The issues of design, highway safety and the PROW are addressed in the Officer report. The matter of site operations may be controlled by way of condition if it is thought necessary.

2. SOURCE OF COMMENTS: Andrew Dye, Parish Councillor

DATE RECEIVED: 28.06.2021

SUMMARY:

As the local parish councillor for Marsh Lane I have made my representations previously via the Parish, however, I feel that I must also put not only my own personal objections in writing to the committee but also those of the community who tirelessly feel they are being ignored.

The original application met the needs of the village, and it was generally accepted that the original building would be preserved. This included a much-needed general store/shop for residents and this was a big deciding factor of many of the residents not objecting to the plans originally.

This is not the first time that a public house has been demolished in Marsh Lane in favour of housing and now there are more houses (meaning more families) and although local residents are not averse to welcoming more families into the village, there has been no infrastructure put into the village to provide basic facilities for residents. Marsh Lane cannot sustain the continual influx of additional housing/residents. There is no local Doctor's surgery, local shop, and the local public transport is in danger of being reduced/withdrawn if we don't get funding again.

The planning committee may not feel that the points I have made meet the criteria for objections, but I feel that Planners should take heed of the community as they are beginning to feel that another piece of the village history is being lost (there hasn't even been any provision made to preserve the name of the 'Butchers Arms').

I would ask the planning committee to consider the points I have made especially those of the community when making your decision.

OFFICER COMMENTS:

The Committee need to take account of all material planning considerations. The issue of the retention of the Butcher's Arms is addressed in the Officer report and whilst new development may often require additional infrastructure the level of development proposed here falls below the threshold whereby additional infrastructure is considered necessary to support the proposal.

PARISH: Wingerworth

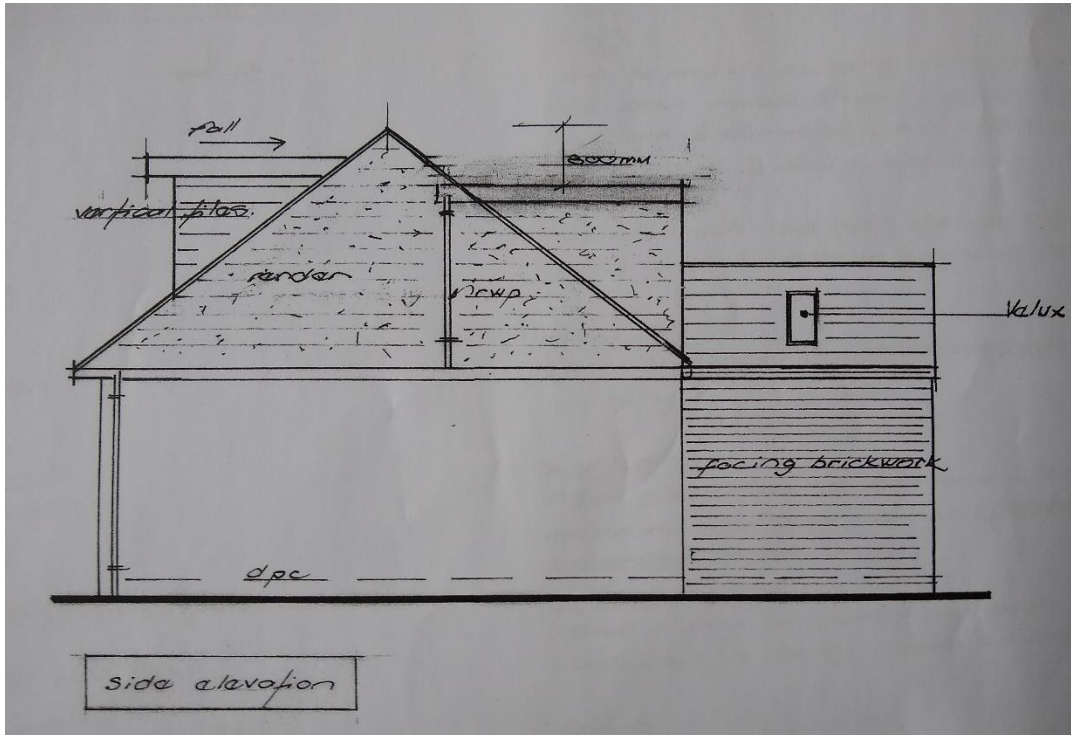
APPLICATION: 21/00344/FLH – NOT NOW TO BE DETERMINED AT 29 JUNE COMMITTEE

CASE OFFICER: Philipp Tschavoll-Selenko

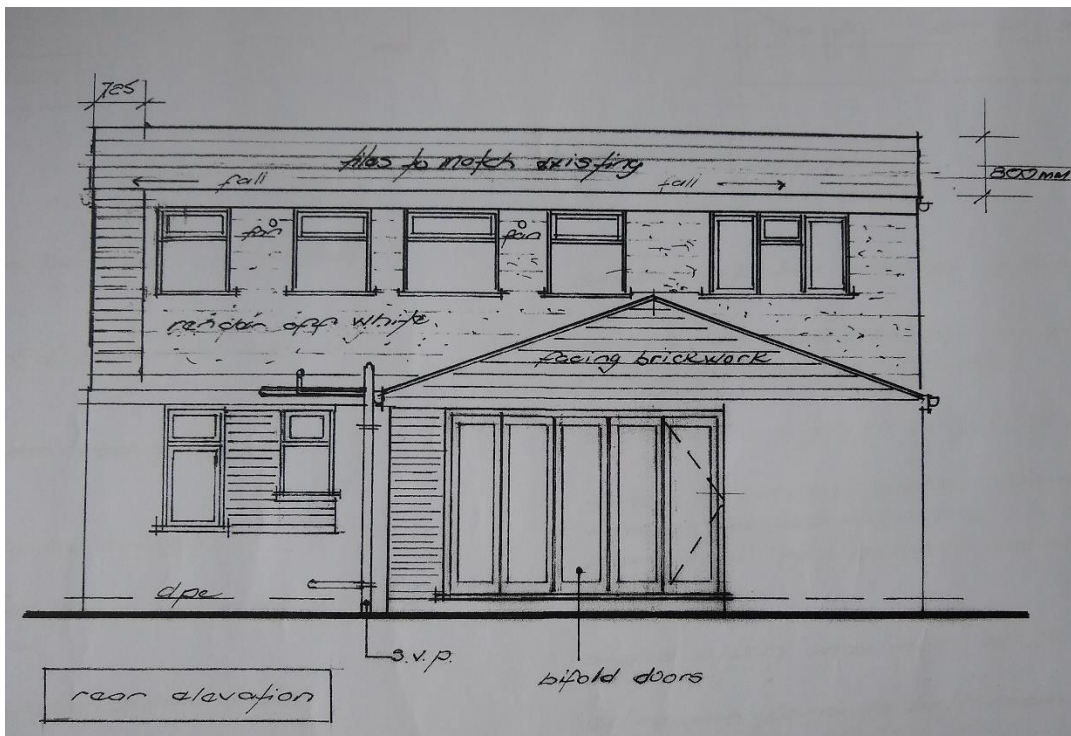
Update:

The applicant has now submitted amended plans (received on 23 June 2021) which include the following amendments:

- Cladding of gables and sides of loft conversion now replaced with white render
- Height of loft conversion reduced by 50cm and width reduced by 72.5cm. This means that the loft conversion now proposed is set back by 72.5cm from the edge of the roof.
- Cladding of front dormer's sides replaced by tiles



Side elevation; reduced height of loft conversion now proposed & render finish



Rear elevation; reduced width of loft conversion now proposed

In view of the receipt of the amended plans they have been published and reconsultation with the neighbours, Ward Members and the Parish Council for 14 days has taken place. As such, Officers have withdrawn their report from Committee and the application will now be reported (as necessary) and determined at July Committee.