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**North East
Derbyshire**
District Council

Supplementary Agenda

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Date: Monday, 10 February 2025

To: **Members of the Planning Committee**

Please attend a meeting of the Planning Committee to be held on **Tuesday, 18 February 2025 at 2.00 pm in the Council Chamber**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield S42 6NG.

The meeting will also be live streamed from the Council's website on its You Tube Channel. Click on the following link if you want to view the meeting:

[North East Derbyshire District Council - YouTube](#)

Yours sincerely



Assistant Director of Governance and Monitoring Officer

Members of the Committee

Councillor David Cheetham
Councillor Andrew Cooper
Councillor Peter Elliot
Councillor Mark Foster
Councillor Christine Gare
Councillor Lee Hartshorne (Chair)

Councillor William Jones
Councillor Tony Lacey
Councillor Heather Liggett
Councillor Fran Petersen
Councillor Kathy Rouse

Please notify the Governance Manager, Amy Bryan by 4.00 pm on Friday 14 February 2025 of any substitutions made for the meeting.

For further information about this meeting please contact: Amy Bryan 01246 217391

AGENDA

7 **Late Representations - Summary Update Report - TO FOLLOW** (Pages 4 - 6)

(Planning Manager – Development Management)



**North East
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District Council

Access for All statement

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Planning Committee 18th February 2025

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: Stretton

APPLICATION: NED/24/00933/FLH

CASE OFFICER: Curtis Rouse

1. SOURCE OF COMMENTS: Email from agent

DATE RECEIVED: 11/02/2025

SUMMARY:

An email and attached document were submitted by the applicant's agent raising the following points:

- 1) Objection to condition 3 being a pre commencement condition and suggested rewording due to details already being available to officers.
- 2) Proposed wording for condition 3 "Base of greenhouse to be built in accordance with Detail 01 on 2001 Rev C (Existing and Proposed Garden Layout) with a high-tenacity polyester geosynthetic material to replace the permeable membrane detailed."
- 3) Clarity that the greenhouse will not require foundations and would be placed on wooden sleepers which will in turn be placed on the ground in line with drawing Detail 01.
- 4) At 2.3 of the Officer report the steps lead up to a raised lawn and not down.
- 5) At 2.8 the date of when plans were amended is incorrect, this should be 07.01.25.
- 6) At 2.8 the raised area was added, as was the trellis fencing.

- 7) At 4.7 it is considered that these details have already been provided.
- 8) At 7.7 the shed is mono pitched and does not have a flat roof.
- 9) At 7.12 the applicant considers that the request from the Tree officer is a suggestion and not a requirement.
- 10) Applicant queries paragraphs 7.18 and 7.19 as they repeat each other.
- 11) Condition 3 – considered that these details have already been provided. Applicant is happy to implement the suggestion of a high-tenacity polyester geosynthetic material but does not want it as a pre-commencement condition requiring discharge. He instead wishes for it to be a standard enforceable condition.

OFFICER COMMENTS:

The points above are noted and Officers have the following comments:

- 1) Officers conclude that a condition is necessary to minimise the impact on the root protection area of the protected trees. It is however considered that condition 3 can be amended so that it is a compliance condition rather than a pre-commencement condition requiring the submission of additional details. condition 3 should be amended to read “Notwithstanding the membrane detail shown on Detail 01 on drawing 2001 Rev C, the greenhouse base geotextile shall be built using a polypropylene or a high-tenacity polyester geosynthetic material.”
- 2) Covered in point 1 above.
- 3) Noted and addressed in point 1 above.
- 4) Officers can confirm that the steps on site do lead from the patio up to the lawned area.
- 5) The date of the amended plans being received was 07.01.25.
- 6) Officers can confirm that the raised area and trellis was added to the scheme and not removed.
- 7) Officers appreciate that some foundation details were provided however in consultation with the Council’s Tree Officer it is considered that a permeable membrane solution would be more appropriate. Officers also conclude that condition 3 is reasonable and necessary.
- 8) Officers confirm that the proposed shed would have a mono pitched roof.
- 9) Officers conclude that the condition is required to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with NEDDC Local Policy SDC2 and pursuant to section 197 of the Town and Country Planning Act 1990.
- 10) Officers consider paras 7.18 and 7.19 are accurate and consider the impact of both the shed and greenhouse.
- 11) Officers have agreed to recommend amend the wording of condition 3 as per point 1 above. Officers consider the condition reasonable and necessary in the interest of the protected trees.

As such, Condition 3 is recommended to be amended as follows:

Notwithstanding the membrane detail shown on Detail 01 on drawing 2001 Rev C, the greenhouse base geotextile shall be built using a polypropylene or a high-tenacity polyester geosynthetic material.

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during construction and to protect and enhance the appearance and character of the site and locality, in accordance with NEDDC Local Policy SDC2 and pursuant to section 197 of the Town and Country Planning Act 1990.

PARISH: Stretton

APPLICATION: NED/24/00933/FLH

CASE OFFICER: Curtis Rouse

2. SOURCE OF COMMENTS: Objector – Mrs Lucy Harries (by e-mail)

DATE RECEIVED: 17/02/2025

SUMMARY:

The submitted comments are given in full:

'I am writing to object to the planning application 24/00933/FLH. This application includes plans to build within the RPA of protected trees. The root protection area is the minimum area that should be protected and remain undisturbed in order to ensure that the roots of the trees do not become damaged. Damaged roots of trees result in instability of trees and would present a safety risk to my family and all the neighbours to the applicant. Damaged roots will lead to the loss of the trees and cannot be regained. By the time any damage is evident it will be too late.

The proposed changes to the garden can be moved outside of the RPA to elsewhere in the garden. Doing so would allow the applicant to develop and enjoy their garden whilst ensuring the works present zero risks to the protected trees.

The needs of cosmetic changes to a garden should not be put above the safety of residents, loss of ecological habitat and important amenity value to the residents of Stretton. The application presents unnecessary risk to the protected trees through construction within the RPA. It is on this basis that this application should be rejected.'

OFFICER COMMENTS:

No further officer comments beyond those in the committee report.