



**North East  
Derbyshire**  
District Council

Our Ref:

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Date: Monday, 22 June 2020

To: **All Members of the Planning Committee**

You are summoned to attend a meeting of the Planning Committee to be held on **Tuesday, 30 June 2020 at 2.00 pm** using a Conference Call facility. The access credentials will be sent to Members separately. Please note that the public parts of the meeting can be viewed through the Council's website through its You Tube Channel.

Yours sincerely

A handwritten signature in cursive script that reads "Sarah Steenberg".

Joint Head of Corporate Governance and Monitoring Officer

## **PLEASE NOTE:**

- 1 For Members' information the following room arrangements have been made for Group Meetings prior to this Council meeting:**

Labour Group	-	Executive Meeting Room
Conservative Group	-	Council Chamber
Liberal Democrat	-	Meeting Room 102A

- 2 Members are requested to bring their laptops and iPads to the meeting where assistance will be provided to anyone who may require it in order to follow the meeting electronically.**

## **A G E N D A**

### **1 Apologies for Absence and Substitutions**

To receive any apologies for absence and notices of substitutions from Members.

### **2 Declarations of Interest**

Members are 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.

### **3 Minutes of Last Meeting (Pages 3 - 17)**

To approve as a correct record and the Chair to sign the Minutes of Planning Committee held on 10 March 2020.

### **Planning Development Manager Reports**

#### **4 Reports of the Planning Manager - Development Management**

a. **NED/19-00786 - Cartledge Hall Farm - Dronfield** (Pages 18 - 36)

b. **NED/20-00185 - Scout Hut, Holmesfield** (Pages 37 - 48)

d. **Planning Appeals Lodged and Determined** (Pages 49 - 54)

### **5 Matters of Urgency**

To consider any other matter which the Chair is of the opinion should be considered as a matter of urgency.



***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  
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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

### MINUTES OF MEETING HELD ON 10 MARCH 2020

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## **PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON 10 MARCH 2020**

#### **Present:**

Councillor D Ruff .....	Chair
Councillor P Antcliff .....	Vice-Chair
Councillor W Armitage	Councillor D Hancock
“ J Barry	“ E Hill
“ S Clough	“ H Liggett
“ A Cooper	“ M Potts
“ R Hall	“ A Powell

#### **Substitutes Present:**

Councillor J Birkin - acted as substitute for Councillor T Reader  
Councillor N Barker - acted as substitute for Councillor K Rouse

#### **Also Present:**

Adrian Kirkham - Planning Manager – Development Management  
Graeme Cooper - Principal Planning Officer  
Phil Slater - Principal Planning Officer  
Colin Wilson - Senior Planning Officer  
Emily Cartwright - Senior Planning Officer  
Jim Fieldsend - Team Leader Solicitor (non contentious)  
Alan Maher - Senior Governance Officer

#### **587 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors C Huckerby, M Jones, T Reader and K Rouse.

The meeting was advised that Councillors J Birkin and N Barker would act as substitutes for Councillors T Reader and K Rouse.

#### **588 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.

#### **589 Minutes of Last Meeting**

**RESOLVED** – That the Minutes of the last meeting of the Planning Committee held on 11 February 2020 be approved as a correct record and signed by the Chair.

**590 Development Management Applications**

The Committee considered Report No PM/21/19-20/AK of the Planning Manager – Development Management. This explained the applications, which the Committee would be asked to consider and determine. As part of this, Members were advised of the legal and financial implications that could arise from the determination of planning applications and the authorisation of any enforcement action that might be required.

**591 Planning Application NED/19/01107/FL**

The report to Committee explained that an application had been submitted for a proposed residential development comprising 21 dwellings. The application would revise the scheme previously approved - 18/00273/FL) (Major Development) (Amended Title) at Watercress Farm, Watercress Lane, Clay Cross for Woodsett Homes Limited. The application had been referred to the Committee by Councillor P Wright, who had raised concerns about it.

No objectors spoke against the application.

The Applicant spoke in support of the application.

No supporters spoke in favour of the application.

Committee considered the application. In particular, it assessed the suitability of the proposal in the location in policy terms, its effect on the character and appearance of the site and the surrounding street scene. Committee also considered the impact upon the amenity of neighbouring residents, land uses, its ecological impact, as well as land contamination, drainage and highway safety.

Members discussed the application. They heard about the rising costs of the scheme, why it was no longer financially viable to include the original proposal for affordable homes as part of the development and the independent advice received by the Council confirming that a 'Section 106' contribution could not be made by the developer towards meeting the education and recreation provision in the local area.

**RESOLVED** – That application number NED/19/01107/FL be approved in line with officer recommendations, with the final wording of conditions delegated to the Planning Manager – Development Management.

- 1 The development hereby approved shall be carried out in accordance with the details shown on the following drawings 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:

- o 17\_2129\_ LP (Location Plan)
- o 17/2129/(02)001 (House Type A)
- o 17/2129/(02)002 Rev A (House Type B1 & C)
- o 17/2129/(02)003 (House Type D & E)
- o 17/2129/(90)101 Rev C (Existing & Proposed Site Layout - Materials Only)
- o 17/2129/(02)101 Rev F (Existing & Proposed Site Layout)
- o 17/2129/(02)102 Rev B (Proposed Site Layout with Vehicle Tracking)
- o 17/2129/(90)103 Rev B (Contractors Compound/Phasing Plan)

- o FT/12607/F1 (Bat, Bird and Hedgehog Gap Plan)
  - o 42371/005 Rev L (Section 104 Layout)
  - o 42371/006 Rev F (External Works)
  - o 42371/007 Rev D (Plot Drainage)
- 2 Notwithstanding the submitted details, within 2 months of this decision, the following shall be submitted to and approved in writing by the Local Planning Authority:
- a) a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land,
  - b) the details of any trees and hedgerows to be retained, together with measures for their protection during development,
  - c) a schedule of proposed native plant species, size and density and planting locations, which takes into account the comments of DWT including new native hedgerow planting, native tree planting, wildflower seeding in green spaces, etc,
  - d) an implementation programme.
- 3 All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 4 Notwithstanding the submitted details, within 2 months of this decision, a plan to show the positions, design, materials, height and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the occupation of that dwelling and shall be retained as approved unless otherwise agreed in writing by the Local Planning Authority.
- 5 The scheme to enhance and maximise employment and training opportunities during the construction stage and post construction stage hereby approved under planning reference 19/00088/DISCON shall be implemented in full in accordance with the approved timetable.
- 6 Works on site and deliveries to the site shall be undertaken only between the hours of 7.30am to 6pm Monday to Friday and 7.30am to 12pm on Saturday. There shall be no work undertaken on site or deliveries to the site undertaken on Sundays or public holidays.
- 7 The ecological features illustrated on drawing FT/12607/F1, prepared by ECUS Environmental Consultants dated January 2019 shall be implemented in full prior to the occupation of each dwelling and retained as approved for the lifetime of the development.
- 8 Prior to the first use of Plot 11 hereby approved, the window shown on the approved plans to the bathroom on the dwellings southern elevation shall be fitted with obscure glazing. The obscure glazing shall be of an obscurity equivalent to at least Level 4 of the Pilkington obscure glazing range. The

window shall be of a non-opening design or alternatively any opening parts must be more than 1.7m above the floor level of the room in which the window is installed. The window shall then be retained as such thereafter at all times.

- 9 Within 2 months of this decision and notwithstanding the submitted details, a scheme for the disposal of highway surface water via a positive gravity-fed system, discharging to an outfall on public sewer, highway drain or watercourse, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full prior to the completion of the final dwelling and retained as approved for the lifetime of the development.
- 10 The site accommodation and phasing plan hereby approved by drawing 17/2129/(90)103 Rev B shall be adhered to and retained throughout the construction period.
- 11 Throughout the period of construction, wheel washing facilities shall be provided and utilised within the site.
- 12 There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.
- 13 The new junction hereby approved under planning reference 19/00088/DISCON shall be laid out, constructed to base level and provided with 2.4m x 160m visibility splays in both directions, the area in advance of the sightlines being levelled, constructed as footway and not being included in any plot or other sub-division of the site. For the avoidance of doubt, the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this condition.
- 14 Within 2 months of this decision, details of how all other means of access into the development site have been permanently closed with a physical barrier shall be submitted to and approved in writing by the Local Planning Authority. These other means of access into the site shall remain permanently closed in perpetuity.
- 15 The proposed access drive to Springvale Close shall be no steeper than 1 in 15 for the first 10m from the nearside highway boundary and measures shall be implemented to prevent the flow of surface water onto the adjacent highway. Once provided any such facilities shall be maintained in perpetuity free from any impediment to their designated use.
- 16 The new dwellings shall not be occupied until the proposed new estate street between each respective plot and the existing public highway has been laid out in accordance with the approved application drawings to conform to the County Council's design guide, constructed to base level, drained and lit in accordance with the County Council's specification for new housing development roads.
- 17 The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents/visitors/service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

- 18 Within 2 months of this decision, details for the storage of refuse bins and collection of waste shall be submitted to and approved in writing by the Local Planning Authority. The approved bin storage facilities shall then be implemented in full prior to the completion of the development and retained for the designated purposes at all times thereafter.

- 19 The dwellings hereby approved shall not be occupied until:

The remediation works identified in the Remediation Plan submitted with the application as part of the Eastwood & Partners letter report 'Watercress Farm Danesmoor Planning Reference 19/00088/DISCON (Ref: PR/AJK/SAE/42371-004; dated 18th November 2019)' shall be undertaken in accordance with the scheme in that report. The remediation works shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The developer shall give at least 14 days' notice to the local planning authority (Environmental Health) prior to commencing works in connection with the remediation scheme.

- 20 Upon completion of the remediation works required above a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.
- 21 If during the construction associated with the development hereby approved any suspected areas of contamination are discovered, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the phased approach for assessing, investigating and managing land contamination contained in good practice guidance.

**592 NED/19/00713/FL**

The report to Committee explained that an application had been received to erect 8 semi-detached and 5 detached bungalows, associated highway works, access, car parking, landscaping and outdoor amenity space. (Major Development) (Additional Information) at The Old Station, Station Road, Killamarsh, Sheffield for Mr T Rusling – Akroyd & Abbott. The application had been referred to the Committee by Councillor S Clough, who had raised concerns about it.

One objector exercised their right to attend the meeting and spoke against the application.

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



No supporter spoke in favour of the application.

Committee considered the application. In particular, it took into account the suitability of the proposal in the location in policy terms, its effect on the character of the site, as well as the amenity of neighbouring uses.

Members discussed the application. As part of this, they noted that it was a brownfield site and planning permission had originally been granted to build 14 houses on it. They discussed the reasons why the proposed development had changed and the suitability of the proposed bungalows in the context of neighbouring nineteenth century properties. They also heard about the provision of parking spaces and the possible impact on road safety and traffic congestion.

**RESOLVED** – That application number NED/19/00713/FL be approved in line with officer recommendations, with the final wording of conditions delegated to the Planning Manager - Development Management.

- 1 The development hereby approved 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 details shown on the following plans:-
  - o2801:0111-D Site Plan Layout
  - o2801:0112 Site Boundary Sections
  - o2801:0110 Site Location Plan
  - o2801:0108 revision C Levels Site Plan
  - o2801:0107 Site Sections and 3D View
  - o2801:0104 Proposed House Type A
  - o2801:0105 Proposed House Type B
  - o2801:0107 Proposed House Type C
  - o2801:0109 Proposed House Type D
  - oFlooding and Drainage assessment
  - oPhase 1 and 2 Engineering and Environmental Report
  - oPreliminary Ecological Appraisal ReportUnless 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 Before the development hereby approved commences, a scheme to enhance and maximise employment and training opportunities during the construction stage of the project, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in full in accordance with the approved timetable.
- 4 Before any above ground works commence, the following shall be submitted to and approved in writing by the Local Planning Authority:
  - oa scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land,
  - othe details of any trees and hedgerows to be retained, together with measures for their protection during development,
  - odetails of the removal of the existing chain link fence and concrete pots on the boundary with the Trans-Pennine Trail (TPT)

o a schedule of proposed plant species, size and density and planting locations including hedgerow enhancement details adjacent to the TPT  
o an implementation programme.

- 5 All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6 Prior to the first occupation of the dwellings the boundary treatments shown on the approved drawings shall be erected and retained as approved thereafter.
- 7 The development shall be carried out in accordance with the finished floor levels and finished ground levels shown on drawing 2801-0108 revision C.
- 8 Before any above ground works starts, precise specifications (including the manufacturer, range and colour details where applicable) of the walling and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority . The development shall then be carried out in accordance with the approved details.
- 9 Construction works on site and deliveries to the site shall be undertaken only between the hours of 7:30 to 6pm Monday to Friday and 7:30 to 12pm on Saturday. There shall be no work undertaken on site or deliveries to the site undertaken on Sundays or public holidays.
- 10 Prior to the first occupation of the dwellings hereby approved a scheme of sound mitigation shall be submitted to and approved in writing the local planning authority. The scheme shall be designed following the completion of a sound survey undertaken by a competent person. The scheme shall take account of the need to provide adequate ventilation, which will be by mechanical means where an open window would not achieve the following criteria. The scheme shall be designed to achieve the following criteria with the ventilation operating:

Bedrooms 30 dB LAeq (15 Minutes) (2300 hrs - 0700 hrs)

Living/Bedrooms 35 dB LAeq (15 Minutes) (0700 hrs - 2300 hrs)

All Other Habitable Rooms 40 dB LAeq (15 Minutes) (0700 hrs - 2300 hrs)

All Habitable Rooms 45 dB L<sub>Amax</sub> to occur no more than 6 times per hour (2300 hrs - 0700 hrs)

Any outdoor amenity areas 55 dB LAeq (1 hour) (0700 hrs - 2300 hrs)

The scheme as approved shall be validated by a competent person and a validation report submitted to and approved in writing by the local planning authority. The approved scheme shall been implemented in full and retained thereafter.

- 11 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 12 Prior to the commencement of work on site (including clearance of refugia piles, vegetation or groundworks), a Reptile Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include reasonable avoidance measures and a watching brief. The Method Statement shall be implemented in full and a short statement of compliance submitted at the end of site clearance works.
- 13 Prior any above ground works commencing, a Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority to achieve a net gain in biodiversity in accordance with the NPPF 2019. Such approved measures shall be implemented in full and maintained thereafter. This management plan should provide details, but not limited to: wildlife friendly fencing, bat and bird boxes and their locations, native planting including hedgerow planting.
- 14 Prior to the commencement of development, including preparatory site clearance, a detailed badger survey for any recently excavated badger setts on the site or within 30 metres of the site boundary should be undertaken. The results and any appropriate mitigation/licensing requirements shall be submitted to and approved in writing by the Local Planning Authority for approval. Such approved measures must be implemented in full.
- 15 No removal of hedgerows, trees, shrubs other vegetation shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the Local Planning Authority and then implemented as approved
- 16 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to :-
  - a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;

- b) evidence of existing positive drainage to public sewer and the current points of connection; and
  - c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30 % reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change
- 17 No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:
- a. Coda Structures (04/02/2020), Flooding & Drainage Assessment for the Proposed Re-Development of the Old Station, Station Road, Killamarsh, Revision A, including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team,
  - b. And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015),
- have been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing
- 18 Prior to commencement of the development, the applicant shall submit for approval to the Local Planning Authority details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.
- 19 Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period
- 20 Throughout the period of development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.
- 21 The carriageway of Station Road and the proposed footway fronting the site shall be constructed in accordance with details first to be submitted and agreed, in writing, by the Local Planning Authority up to and including at least base level, prior to any above ground works commencing. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve

months (or three months in the case of a shared surface road) from the occupation of such dwelling.

- 22 Highway' surface water shall be disposed of via a positive, gravity fed system (i.e. not pumped) discharging to an approved point of outfall (e.g. existing public sewer, highway drain or watercourse)
- 23 No dwelling shall be occupied until space has been laid out within the site in accordance with the application drawing for cars to be parked (spaced being of minimum dimensions 2.4m x 5.5m). Once provided, the spaces shall be maintained free from any impediment to their designated use for the life of the development
- 24 The proposed driveways to Station Road shall be no steeper than 1:14
- 25 Prior to first occupation, details of the proposed arrangements for future management and maintenance of the proposed street i.e. the unadopted section of Station Road and new footway fronting the development shall be submitted to and approved in writing by the Local Planning Authority. The street shall thereafter be maintained in accordance with the approved management and maintenance details.
- 26 Prior to first occupation of the dwellings a scheme for the storage of bins and collection of waste shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation and retained as such thereafter.
- 27 Prior to commencement of development hereby approved an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
  - (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - o human health,
    - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - o adjoining land,
    - o groundwaters and surface waters,
    - o ecological systems,
    - o archeological sites and ancient monuments;
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

- 28 Prior to commencement of development hereby approved:

Where the findings of the site investigation and risk assessment indicate there is an unacceptable risk to human health and/or the environment a detailed remediation scheme to bring the site to a condition suitable for the intended use must be submitted, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 29 The dwellings hereby approved shall not be occupied until the approved remediation works required by 26 above have been carried out in full in compliance with the approved methodology. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority
- 30 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with good practice guidance, and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**593 NED/19/00786/FL**

The report to Committee explained that an application had been submitted to demolish a range of existing buildings (formerly used in association with the livery business and riding school); conversion of existing buildings (formerly used in association with the livery business and riding school) to form a single dwelling; restoration and retention of ancillary buildings; and erection of four new dwellings with associated landscaping, parking and access (conservation area/affecting a public right of way) at Cartledge Hall Farm, Cartledge Lane, Holmesfield, Dronfield for Mr Matthew Jacques c/o Crowley Associates Ltd. The application had been referred to Committee by Councillor C Huckerby, who had raised concerns about it.

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

One supporter (the architect for the scheme) exercised their right to attend the meeting and spoke in favour of the application.

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

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

Committee considered the application. It had regard to the suitability of the proposal in the location in policy terms, its effect on the character of the site and the surrounding area, impact on the Green Belt, impact on heritage assets, the privacy and amenity of neighbours, and highway safety issues.

Members discussed the application. They heard about the contribution which it could make to restoring historic buildings, dating from the seventeenth and eighteenth centuries. They also heard about the comparatively modern buildings that would be removed and the new buildings that would be constructed.

During their discussion Members discussed the building materials that would be used and whether these would be suitable. They also discussed the dimensions and whether they would be appropriate. Some Members felt that if further consideration of the application could be delayed, then the applicant could reflect on the comments of the Committee and decided if they wish to amend the application prior to the Committee's determination on it.

**RESOLVED** – That application number NED/19/00786/FL be deferred at this time.

**594    NED/19/01179/FL**

The report to Committee explained that an application had been submitted for the regularisation of Engineering Works consisting of the re-levelling of an agricultural field (Retrospective Application) at Field to the North of Grange Barn, Milken Lane, Far Hill, Ashover for Mr Hollingworth c/o the Agent. The application had been referred to Committee by Councillor W Armitage, who had raised concerns about it.

Two objectors exercised their right to attend the meeting and spoke against the application. With the agreement of the Chair a statement was read out on behalf of another objector, who was unable to attend the meeting on medical grounds.

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

No supporters spoke in favour of the application.

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

Committee considered the application. As part of this it took into account the visual account the visual impacts of the application on the surrounding countryside. They also considered the ecological impact and residential amenity.

Members, discussed the application. They noted concerns that had been raised that the works might be the precursor to possible future developments, as well as concerns about the transfer of soil with high levels of lead pollution.

Members heard that the movement of soil in this way would not normally be subject to planning permission, if prior notification had been given to the Local Planning

Authority. Members also heard that the Council's Environmental Health Officer had been consulted on the application and confirmed that there was no specific evidence to indicate that the concentrations of lead in the soil which had been moved differed from that already on the site.

**RESOLVED** – That application number NED/19/01179/FL be approved without conditions.

### **595 Planning Appeals Lodged and Determined**

The Committee considered Report No PM/22/19-20/AK of the Planning Manager – Development Management.

The following appeals had been lodged:-

Mr A Rowland - Erection of single detached dwelling on infill plot. (Conservation area) at Land North Of Main Road, Main Road, Troway (19/00525/FL)

Land Allocation Ltd - Outline planning application for residential development including means of access with all other matters reserved for subsequent approval (Major Development/Departure from Development Plan) at Land At Rear Of 263, Nethermoor Road, Wingerworth (19/00376/OL)

Mr David Booth - Outline application with some matters reserved for proposed construction of two three bed one and a half storey detached dwellings (Affecting the Setting of a Listed Building) at Land North West Of Henmoor Cottage, Mill Lane, Holmgate, Clay Cross (19/00827/OL)

Mr and Mrs Cain - Retention of single/two-storey front extension, two-storey side extension and single-storey rear extension with rendering to the external facades of the property (Amended Plans) (Conservation Area) (Revised scheme of 18/00567/FLH) at 6 Wellfield Close, Ridgeway (19/00680/FLH)

Mrs Denise Greenhough – Application for the construction of a new dwelling (revised scheme of 18/00848/FL) at 24 Caldey Road, Dronfield (19/00764/FL)

The following appeal had been allowed:-

Mr Cooper – Application for the erection of one dwelling and replacement double garage (Amended Title/Amended Plans) at Rear Of 91 And 91A, Chesterfield Road, North Wingfield (19/00430/FL)

The following appeals had been dismissed:-

Mr Bayliss – Demolition of existing garage and erection of detached dwellinghouse (Listed Building) (Revised scheme of 17/00448/FL) (Amended Plan) (Further Amended Plans) at 26 Hallows Lane, Dronfield (17/00914/FL)

Mr Bayliss – Listed building consent application for the retention of partially demolished and relocated 2m high boundary wall at 26 Hallows Lane, Dronfield (18/00637/LB)



Mr Howarth – Conversion of two existing stable buildings to form one, four bedroom dwelling, with associated access lane, parking area and garden. (Affecting a public right of way at Holly House, Matlock Road, Spitewinter (18/01265/FL)

No appeals have been withdrawn.

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

**596 Matters of Urgency**

None

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PLAN MINS(0310)/MD

## NORTH EAST DERBYSHIRE DISTRICT COUCL

### PLANING COMMITTEE

30 JUNE 2020

### REPORT NO PM/01-20-21/AK OF THE PLANNING MANAGER – DEVELOPMENT MANAGEMENT

**PARISH** Holmesfield Parish

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**APPLICATION** Demolition of a range of existing buildings (formerly used in association with the livery business and riding school); conversion of existing buildings (formerly used in association with the livery business and riding school) to form a single dwelling; restoration and retention of ancillary buildings; and erection of four new dwellings with associated landscaping, parking and access (conservation area/affecting a public right of way)

**LOCATION** Cartledge Hall Farm, Cartledge Lane, Holmesfield, Dronfield

**APPLICANT** Mr Matthew Jacques C/O Crowley Associates Ltd

**APPLICATION NO.** 19/00786/FL **FILE NO.** PP-08044834

**CASE OFFICER** Mr Colin Wilson

**DATE RECEIVED** 5th August 2019

REFERRED TO COMMITTEE BY: Cllr Huckerby

REASON: Concerns regarding highway safety.

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Members may recall that this application was deferred at the previous Planning Committee held at the Council Offices on 10<sup>th</sup> March 2020. The application was deferred as a consequence of some Members concerns regarding the scale and visual impact of the proposed development. The decision to defer the application rather than refuse it was taken as some Members expressed that a scheme comprising reduced levels of new built development may represent an acceptable form of development.

No amendments have been made to the scheme presented at the March Planning Committee. Moreover, at the time of writing, no additional consultation comments have been received since Members took the decision to defer determination of the application. One additional neighbour representation has been received and Section 6 of the following report has been updated to reflect this. Otherwise, the report is unchanged from that presented to Members back in March.

#### **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises Cartledge Hall Farm, a complex of buildings situated off Cartledge Lane, Holmesfield. The site is a range of buildings including traditional stone built buildings that would have comprised the original farm complex. These buildings include a threshing barn, granary/cart

shed, stables and pigsties believed to date from the 17<sup>th</sup> and 18<sup>th</sup> Century. A further cartshed positioned to the north of the threshing barn is considered to date back to the late 19<sup>th</sup> century.

- 1.2 Comparatively modern buildings, and additions to the above mentioned historic buildings, more utilitarian in their appearance also occupy the site. These buildings include a Dutch Barn, a substantial blockwork addition to the threshing barn and a bungalow at the south-western corner of the site. The last stated use of the complex was as a commercial equestrian facility. At the time of Officers visit, it was apparent that the site was vacant.
- 1.3 The majority of the application site is situated within a countryside location, designated as North East Derbyshire Green Belt, with an aspect of the site (at its north-western corner) being positioned within the defined Settlement Development Limits for Holmesfield. Roughly, the northern half of the application site falls within the Cartledge Conservation Area – with land to the south of the existing Dutch Barn and threshing barn being situated outside the Conservation Area.
- 1.4 To the south of the application site is open countryside designated as Green Belt. North-west of the site are a collection of dwellings fronting Cartledge Lane, including Cartledge Hall Farm House. To the north-east of the site, on the opposite side of the bridleway, is a farm complex comprising a range of substantial buildings of an agricultural appearance. Approximately 50m to the north of the access to the application site lies a range of Grade II Listed buildings identified as Cartledge Grange. Further to the north, beyond the buildings at Cartledge Grange, is Cartledge Hall, a Grade II\* Listed building with associated Grade II Listed barns.
- 1.5 The application site is accessed via an existing private track taken from Cartledge Lane. The existing track is bound by stone walling. Cartledge Lane continues beyond the development site, bordering its north-east edge. Beyond the access to application site Cartledge Lane turns into an unmade track. Cartledge Lane and the unmade track are a designated Right of Way (Holmesfield Bridleway 53). A further designated Public Right of Way (Footpath 26) crosses the application site. The definitive line of the footpath bisects the existing threshing barn. It appears that pedestrians actually travel through the site via the existing track forming access to application site.

## **2.0 PROPOSAL**

- 2.1 Full planning permission is sought for the demolition of a range of existing buildings (formerly used in association with the livery business and riding school); conversion of existing buildings (formerly used in association with the livery business and riding school) to form a single dwelling; restoration and retention of ancillary buildings; and erection of four new dwellings with associated landscaping, parking and access.
- 2.2 The proposals seek to remove the comparatively modern, utilitarian buildings from the site, whilst retaining the historic farm buildings. It is proposed that the existing threshing barn would be converted to form a 4 bedroom property with accommodation across the building's two floors. The remaining historic stone built buildings would be retained and converted to ancillary domestic purposes.

- 2.3 The proposals include the construction of 4 additional dwellings within the site, fronting a courtyard/turning space located to the west of the threshing barn. A pair of semi-detached dwellings would be positioned at the northern side of the central courtyard. To the south of the courtyard, two detached dwellings would be constructed. The dwellings would comprise stone walling materials with the upper floors faced in a standing seam, metal cladding system. The proposed fenestration would comprise timber framed windows set into deep reveals. Door openings would be timber. The pattern of fenestration is said to be randomised, with larger openings carved out of the stone plinth at ground floor levels.
- 2.4 Access arrangements to the site would comprise an upgrading of the existing private track, by way of resurfacing with a porous resin bonded gravel. A parking layout has been submitted with the application. In terms of parking allocation for the 5 residential units, each comprise allocated spaces. The two detached dwellings and converted threshing barn would each comprise 3 allocated spaces. Whereas, the semi-detached dwellings proposed would each comprise a single parking space located to the west of the central courtyard. An additional two parking spaces would be provided within the site area for the occupiers of the existing farmhouse (which is situated outside the defined site area).

### **3.0 AMENDMENTS**

- 3.1 Amended plans have been submitted during the processing of the application and can be summarised as follows (drawing numbers are in brackets):

Received at this office on 24.10.2020

- Amended Location Plan (000-001)

Received at this office on 07.01.2020

- Amended Proposed Landscape Plan (000-010 PA2)
  - Amended site plan (003 PA2)
  - Amended proposed lighting strategy (000-011 PA1)
  - Amended proposed car parking provision (000-012 PA1)
  - Amended threshing barn - proposed elevations (300-100)
- 3.2 The amendments include alterations to the proposed window design for the threshing barn conversion, details of parking provision within the site, and details of an amended site area.

### **4.0 PLANNING HISTORY**

- 4.1 The planning history for the site can be summarised as follows:

77/00698/FL – Alteration and extension and new building to form new Riding School, residential accommodation, stables and ancillary facilities – Refused.

77/00699/FL – Temporary/residential caravan – Refused.

77/00700/FL – Levelling of field to facilitate schooling of horses and riders. Provision of drive, car park – Conditionally Approved.

78/00753/FL – Change of use of existing indoor riding school to furniture depository – Refused.

78/00754/FL – Renovate existing dwelling and divide into two units and convert stable block into four units – Withdrawn (no decision)

81/00644/FL – Alterations to barn to form stables and store rooms in association with equestrian centre – Conditionally Approved.

82/00599/FL – Change of use to retail saddlery and equestrian supplies and repair shop – Conditionally Approved.

83/00586/FL – Retention of temporary portakabin for use as reception and office – Conditionally Approved.

87/00493/FL – Retention of change of use of farm building as livery stables – Conditionally Approved.

87/00494/RM – Use of agricultural dwelling as holiday accommodation – Conditionally Approved.

14/01269/FLH – Proposed front porch - new windows - rear dormer windows and removal of chimney stack (Conservation Area) – Conditionally Approved.

14/01295/FL – Application to increase size of outdoor riding arena to 60m x 30m – Conditionally Approved

15/00289/FL – Removal of condition relating to the occupation being by a full time worker on CHR1163/7 (Conservation Area) – Withdrawn (no decision)

16/00318/LDC – Application for Lawful Development Certificate to regularise the retention of the dwelling in its current location and void condition 2 regarding agricultural workers – Certificate Issued

17/00673/FLH – Retention of stone boundary wall to front of farmhouse (Conservation Area) – Withdrawn (no decision)

17/00390/FLH – Erection of a detached car port and retention of stone boundary wall (Conservation Area) (Amended Plans) (Amended Title) – Refused

## **5.0 PLANNING POLICY CONSIDERATIONS**

### **North East Derbyshire District Local Plan**

5.1 The North East Derbyshire Local Plan (adopted November 2005) forms the Development Plan for the area.

5.2 The Local Plan policies most relevant to the proposals are set out below:

- GS1 Sustainable Development
- GS2 Development in the Green Belt
- GS5 Settlement Development Limits
- GS6 New Development in the Countryside
- GS7 Change of Use and Conversions
- BE1 General Design Principles
- BE9 Development in the Vicinity of a Listed Building

- BE11 Development Within and Adjoining Conservation Areas
- H3 New Housing Outside Settlement Development Limits
- T2 Highway Access and the Impact of New Development
- T9 Car Parking Provision
- CSU4 Foul and Surface Water Drainage
- NE6 Development Affecting Nationally Rare Species

5.3 The emerging Local Plan was submitted for examination in May 2018, with public hearings taking place in November/December 2018 and March 2019. The Inspector issued her interim findings in letters dated 18 February and 21 March, 2019. Following local elections in May 2019, the Council paused the Plan, pending consideration of its options around housing numbers and Green Belt release. On 27 February, 2020 the Council announced the un-pausing of the Plan to allow it to proceed to the next stage of consultation on the Main Modifications. It is expected that this consultation will take place in Spring, with Plan adoption by the end of 2020. The emerging Local Plan is therefore at an advanced stage and should be attributed appropriate weight in decision making.

5.4 The following Local Plan: Publication Draft policies are relevant to this application and are material consideration. Policies most relevant in the determination of this application are set out below.

- SS1 Sustainable Development
- SS9 Development in the Countryside
- SS10 North East Derbyshire Green Belt
- SDC1 Re-use of Building in the Green Belt and Countryside
- SDC3 Landscape Character
- SDC4 Biodiversity and Geodiversity
- SDC5 Development with Conservation Areas
- SDC6 Development Affecting Listed Buildings
- SDC9 Non-designated Local Heritage Assets
- ID3 Sustainable Travel

#### National Planning Policy Framework

5.5 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

#### Successful Places

5.6 North East Derbyshire District Council's 'Successful Places' Interim Planning Guidance is applicable in the assessment of this application.

## **6.0 PUBLICITY, CONSULTATIONS AND REPRESENTATIONS**

6.1 The application was publicised by way of neighbour letters, site notice and in the Derbyshire Times. 10 Representation letters were received and can be summarised as follows:

- Increased ambient light. Street lights were previously voted against by local residents to preserve darkness.
- Biodiversity impacts.

- The style of the proposed metal clad housing would be at odds with the local stone buildings in the area. In this regard, the proposals would fail to preserve or enhance the character of the Cartledge Conservation Area.
- The proposed dwellings would not represent homes affordable for the residents of Holmesfield.
- Any encroachment into the Green Belt would represent an unwelcome precedent.
- Two years ago a carport was refused planning permission at this property.
- Insufficient parking. The development would not provide adequate off-street parking spaces for the cars of five households, as well as delivery lorries and visitors.
- A solution to the problem of the true route of Footpath 26 needs to be found; at present, it follows the track straight through the farm. The new road through the farm would be shared by the footpath, causing potential hazards to both walkers and drivers.
- Highway safety concerns. Concerns regarding the junction at which Cartledge Lane joins Millthorpe Lane. Increased vehicular movements generated by the proposals would exacerbate an existing problem, with accidents having occurred within recent years.
- The proposals would result in an urbanisation of the site, including parking spaces that would reduce open space.
- Despite the revised details, there still seems to be inadequate provision in this cramped space for visitors' cars and delivery vans to park and manoeuvre.
- The proposals would result in a detrimental impact to the Conservation Area in visual terms, representing a further urbanisation of the countryside.
- It is essential that any scheme on this site has sufficient vehicle parking arrangements to ensure there is no over spill onto Cartledge Lane. The adjacent Cartledge Grange Farm is an active farm serviced by large delivery lorries and farming machinery. The lane is not wide enough to accommodate both roadside parking and passage of large vehicles. In fact it would be helpful to the existing residents if the scheme was obliged to provide parking for ramblers as a condition of approval.
- The amended scheme has still failed to address this essential need for adequate car parking. Density should be reduced to three new build units to resolve the problem.

## 6.2 The **Ward Member** and **Parish Council** were consulted on the application:

- The Ward Member raised concerns regarding the proposals from a highway safety perspective. The Ward member has called-in the application for a committee determination.
- The Parish Council raised objections to the proposed development on the basis that, whilst there is an appreciation that there is a need to renovate the existing agricultural buildings, there are concerns that the proposals represent an overdevelopment of the site, with the construction of a number of new buildings. It would be preferable if more use could be made of the existing buildings on site. Furthermore, there are concerns regarding the proposed access which comprises a narrow track with poor visibility on to Cartledge Lane.

## 6.3 **Derbyshire County Council Highways Officers** were consulted on the application, raising concerns relating to the proposed access and parking arrangements. See Assessment below for details.

- 6.4 **NEDDC Environmental Health Officers** were consulted on the application, raising no objections to the proposed development, subject to conditions relating to land contamination mitigation measures.
- 6.5 **Historic England** were consulted on the application, advising that they have no specific comments to make in regards to the application.
- 6.6 The relevant **Footpaths Societies** were consulted on the application:
- 6.7 **Holmesfield Footpaths and Bridleways Society** raised comments stating that the definitive route of footpath 26 is unclear at the moment, and until the matter is resolved, full comments on the implications for members of the public cannot be made. That being said, it was stated in the comments that the increased traffic would adversely affect the safety of walkers and their enjoyment of the countryside. Moreover, the proposed development detract from the character and appearance of the area.
- 6.8 **Peak and Northern Footpaths Society** were notified of the application advising that footpath 26 is blocked by the threshing barn. Therefore, in order for the application to proceed, there is a need for the Public Right of Way to be diverted. Currently, there is an unofficial diversion which basically aligns with the service road. The Peak & Northern Footpaths Society would support an Official Diversion that follows such a route. However the PNFS emphasises the need for the Definitive Map Modification Order to be completed before Planning Permission is granted.
- 6.9 **Chesterfield, North East Derbyshire, and Bolsover Group of Ramblers** raised objections to the proposed development requesting that consideration is given to restoring the original line of the path or applying separately for a formal diversion.
- 6.10 **Derbyshire County Council Rights of Way Officers** advised that Officers should be aware that Holmesfield Public Footpath 26 passes through one of the buildings on the site and requires a public path diversion order to make the path available to the public. See Assessment below for details.
- 6.11 The **Water Authority (Yorkshire Water)** were consulted on the application, recommending that conditions relating to drainage of the site be included in any granted planning permission.
- 6.12 **Derbyshire County Council Archaeology** were consulted on the application, initially requesting the submission of an archaeological evaluation of the area. On receipt of the requested evaluation, DCC advised that, as the work did not reveal any archaeological remains, no further archaeological works in this part of the site would be necessary, though monitoring of other works will be necessary. Conditions were recommended.

DCC advised that with regard to the wider development, particularly the conversions and restoration of the traditional buildings on this site, this is largely welcomed. That being said, DCC raised objections to the proposals in terms of their impact in visual/ heritage terms. Officer Note: A subsequent rebuttal letter from the applicant's heritage consultant was subsequently submitted contesting the points raised by DCC. Both documents can be viewed in full via the Council's website.



- 6.13 **Derbyshire Wildlife Trust (DWT)** were consulted on the application, initially advising that that application is not accompanied by sufficient information in order to demonstrate the extent that bats may be affected by the proposed development. Subsequently, a further bat activity report was submitted to be read in conjunction with the application. DWT sought further clarification on the number surveyors and their credentials. Upon receipt of the requested information relating to surveyors, DWT advised that sufficient information has been submitted to determine the application, recommending that a number of conditions be imposed relating to mitigation/ enhancement measures.

## **7.0 PLANNING CONSIDERATIONS**

- 7.1 The main considerations for this application are the suitability of the proposal in this location in policy terms, its effect on the character of the site and the surrounding area, impact on the Green Belt, impact on heritage assets, the privacy and amenity of neighbours, and highway safety issues.

## **8.0 PLANNING ASSESSMENT**

### **Principle of Development**

- 8.1 North East Derbyshire Local Plan Policy GS2 relates to new development in the Green Belt. The Policy states that the reuse of buildings in the Green Belt does not represent an inappropriate form of development, on the basis that such development does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it, and satisfies the relevant criteria of Policy GS7 (change of use and conversions). In this respect, Policy GS2 is generally consistent with paragraph 146 of the National Planning Policy Framework (NPPF), which allows for the re-use of buildings provided that such proposals preserve the openness of the Green Belt and do not conflict with including land in Green Belt.
- 8.2 Policy GS7 relates to the change and of use of buildings. The Policy states that planning permission for the conversion or change of use of an existing building will be granted provided that: (a) the building is of a permanent and substantial construction; (b) where a building is situated outside a Settlement Development Limit it is capable of conversion without the need for major rebuilding or extension; (c) the form, scale, massing, materials, general design and appearance of the development respects the character and appearance of the original building, the site and its surroundings with particular regard to local distinctiveness in design; and (d) the proposed use of the curtilage of the building does not have an adverse effect upon the character of the area or neighbouring land uses.
- 8.3 In some other regards relevant to the assessment of this application, North East Derbyshire Local Plan Policy GS2 is inconsistent with up-to-date Green Belt Policy contained within the NPPF. Paragraphs 145 and 146 of the NPPF set out that the certain forms of development that are not inappropriate in the Green Belt. Once such identified exception, not included in Policy GS2 of the Local Plan, comprises limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: not have a greater impact on the openness of the Green Belt than the existing development; or not cause

substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

- 8.4 Annex 2 of the NPPF provides a Glossary, which includes a description of previously developed land. The Glossary describes previously development land as; land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
- 8.5 Officers consider that the principle of the re-development of the site would be acceptable provided that the development does not have a greater impact on the openness of the Green Belt than the existing use; otherwise the development would comprise inappropriate development which would be by definition harmful unless justified by very special circumstances.

### **Green Belt Considerations**

- 8.6 On the basis of the above Policy context, Officers are of the view the conversions of existing buildings within the application site would be in compliance with the applicable Green Belt Policies. The historic buildings in question are considered to be of a permanent and substantial construction and capable of conversion in a manner that would respect the character and appearance of the original building, and their local distinctiveness. Officers are of the view that precise details of the repairs and alterations involved in the conversion of the historic buildings could be controlled by a pre-commencement planning condition.
- 8.7 Officers are satisfied that the application site complies with the definition of previously developed land, as set out above. The site currently lies vacant but its last known use was a commercial equestrian facility. Such a use is not included in the exclusions set out in the definition of previously development land.
- 8.8 The applicant asserts that the proposed development would not result in any increase in built development within the application site in volumetric terms. This is as a consequence of a number of existing buildings being removed from the site to facilitate the delivery of the proposed dwellings. Whilst Officers consider that, by offsetting the proposed development against the existing built volume, the proposals would not result in any significantly greater impact in spatial terms, openness is not measured in simple volumetric terms, with visual impact also being a fundamental consideration:
- 8.9 Officers are of the view that the buildings earmarked for demolition and removal from the site comprise a relatively low profile when compared to the dwellings proposed, particularly the two storey detached dwellings at the southern elements of the site. On this basis, Officers consider that the

proposed development as a whole would fail to preserve the openness of the Green Belt in visual terms, introducing sizeable buildings towards the southern edge of the site, which is relatively conspicuous from wider views from the open countryside to the south. Consequently, the proposed development is considered to represent an inappropriate form of development in the Green Belt.

- 8.10 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Matters of Very Special Circumstances are considered later in this report (starting at Paragraph 8.18).

### **Heritage Considerations**

- 8.11 Cartledge Hall Farm is located within the Cartledge Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for local planning authorities in exercising their planning functions to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.
- 8.12 Local Plan Policy BE11 relates to development within and adjacent to Conservation Areas and is therefore relevant in the assessment of this application. The Policy sets out a requirement for development proposals to preserve or enhance the Character of the Conservation Area.
- 8.13 Local Plan Policy BE11 is not considered to be entirely consistent with the NPPF. Paragraph 196 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.14 The Heritage Statement that supports this planning application is considered by Officers to be both detailed and well researched. It provides clear and convincing justification for the heritage led approach chosen for the proposed development. The statement also makes it clear that the existing historic buildings on the site have significant historic value both individually and as a farm group. The statement also sets out that this proposal provides a solution for the retention of the historic farm group.
- 8.15 Officers are of the view that the proposed semi-detached properties, by virtue of their siting within the farm complex and their scale and design, sit comfortably within the farm group in visual terms.
- 8.16 Having considered the Heritage Statement submitted by the applicant, Officers are broadly supportive of the assessment in its assertion that the existing bungalow and the livery stables (both earmarked for removal) are out-of-place and detrimental to the setting of the Conservation Area. Officers consider that the existing bungalow and livery stables detract from the setting of the historic farm group, in terms of their design and appearance. In this regard their removal from the site would be welcomed. That being said, in terms of scale, the bungalow and stables are considered to be subordinate to the wider farm group. By virtue of their scale and massing, the proposed detached properties at the southern element of the site are considered to represent a more substantial form of development that would detract from the

character and appearance of the Conservation Area. However, this harm identified is considered to be 'less than substantial'.

- 8.17 Whilst the harm arising as a consequence of the visual impact of the proposed detached dwellings is recognised, the proposals are considered to represent a comprehensive redevelopment scheme that repairs and retains all the historic farm buildings and the dry-stone boundary walls within the application site, all of which contribute positively to the character and appearance of the Conservation Area. The historic buildings on the site are in a very poor state of repair where the cost of repair and refurbishment is likely to be substantial. The possibility of new uses for these buildings other than residential conversion is also considered to be unlikely. Therefore, given the importance of the historic farm group, in line with paragraph 196 of the NPPF, the less than substantial harm caused by the massing and scale of the new buildings, would, in the view of Officers, be outweighed by the public benefit of saving this important historic farm group and securing an optimum viable use.

### **Very Special Circumstances**

- 8.18 As set out above, as a consequence of its impact in visual terms, the proposed development is considered to represent an inappropriate development in the Green Belt and would therefore be unacceptable unless very special circumstances exist.
- 8.19 In this instance, Officers are of the view that the harm to the Green Belt by way of inappropriateness would be outweighed by the identified public benefits brought about by saving this important historic farm group and securing an optimum viable use. Officers therefore consider that the public benefits identified would, on balance, amount to very special circumstances in favour of the proposed development.
- 8.20 On the basis of the above, the proposed development is considered to comply with the requirements of Policy GS2 of the North East Derbyshire Local Plan and the NPPF when read as a whole.

### **Residential Amenity**

- 8.21 It is considered that the proposed scheme would not give rise to any significant adverse impacts on the amenity levels currently enjoyed by the occupiers of adjacent sites, the nearest of which being the farmhouse to the north.
- 8.22 Moreover, the relationship between the proposed residential units is considered to result in a scheme that would provide a satisfactory level of amenity for its occupiers. Separation distances between properties and private amenity spaces for the proposed residential units would generally be in accord with guidance set out in the Council's Interim Planning Guidance, Successful Places.

### **Highway Safety and Public Rights of Way**

- 8.23 Paragraph 109 of the National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 8.24 Derbyshire County Council Highways Officers were consulted on the application, advising that the proposed layout be amended to address concerns regarding access and parking and manoeuvring space within the site. Highways Officers advised that the width of the site access should be maximised and it would be preferable for the initial 5m in length to be 5m in width, to allow two vehicles travelling in opposite directions to pass.
- 8.25 In response to a submitted plan detailing parking layout, Highways Officers went on to raise concerns regarding the apparent under provision of off-street parking, especially given the lack of other opportunities to park within the site. Highways Officers advised that they would not wish to see turning provision negated leading to long reversing manoeuvres back to the publicly maintainable highway.
- 8.26 The concerns raised by DCC Highways Engineers are noted, however Officers consider that the proposed access and parking arrangements would not give rise to any significant highway safety concerns, in part, as a consequence of the access to the site being taken from a lightly trafficked lane (Cartledge Lane). Officers are of the view that a widening of the existing access would represent an over engineering of the access that would unnecessarily detract from the character and appearance of the area. Moreover, given its position at a location that would see limited vehicular movements and low vehicle speeds, it is considered that the existing access would adequately serve a development comprising five residential units, without causing unacceptable impacts on highway safety, or harmful residual cumulative impacts on the road network.
- 8.27 In terms of the under provision of allocated parking spaces, specifically for the proposed semi-detached properties, each comprising a single parking space, Officers consider that whilst the under provision of allocated parking space (Local Plan standards indicate that 2 spaces should be provided for new dwellings) may lead to some inconvenience to residents, this is not considered to amount to unacceptable harm from a highway safety perspective, in view of the site's location and the access arrangements referred to above.
- 8.28 Officers consider that the proposals would have no material impact on the definitive line of the footpath (Footpath 26), which bisects the existing threshing barn earmarked for conversion. As such, Officers consider that this matter could be covered by way of an informative note advising the applicant of their duties in regards to the Public Right of Way (should planning permission be granted). During the processing of this application, the applicant has indicated their intention to seek a formal diversion of the footpath to regularise the existing unofficial route of the footpath, which follows the private access track serving the proposed residential development.

## **Ecology**

- 8.29 Derbyshire Wildlife Trust (DWT) were consulted on the application, initially advising that that application is not accompanied by sufficient information in order to demonstrate the extent that bats may be affected by the proposed development. Subsequently, a further bat activity report was submitted to be read in conjunction with the application. DWT sought further clarification on

the number surveyors and their credentials. Upon receipt of the requested information relating to surveyors, DWT advised that sufficient information has been submitted to determine the application, recommending that a number of conditions be imposed relating to mitigation/ enhancement measures.

### **Archaeological Considerations**

- 8.30 Derbyshire County Council Archaeology Development Control were consulted on the application, initially requesting the submission of an archaeological evaluation of the area. On receipt of the requested evaluation, DCC advised that, as the work did not reveal any archaeological remains, no further archaeological works in this part of the site would be necessary, though monitoring of other works will be necessary. Conditions were recommended to be included in any granted permission.
- 8.31 Derbyshire County Council Archaeology Development Control made additional comments with regard to the wider heritage considerations. These comments can be summarised as follows: The Archaeology Development Control Officer stated that the conversions and restoration of the traditional buildings on this site are largely welcomed. That being said, DCC Archaeology Development Control raised objections to the proposed the style of the new build houses and the proposed landscaping of the site in terms of their impact in visual/ heritage terms.
- 8.32 In response to the Derbyshire County Council Archaeology Development Control comments on wider heritage matters, the applicant submitted additional information in the form of a rebuttal letter, countering the concerns raised. The DCC comments and the applicant's response are available to view in full via the Council's website.
- 8.33 Having considered the comments raised by Derbyshire County Council Archaeology Development Control, the issues raised do not alter the view of Officers as set out above in the Heritage Considerations section of this report.

### **Conclusions**

- 8.34 In summary, whilst the development site comprises previously developed land, Officers consider that the proposals would have a greater impact on the openness of the Green Belt than the existing situation. In this regard, the proposed development is not considered to comply with the defined Policy exceptions to inappropriate development in the Green Belt. Moreover, Officers are of the view that the proposed detached dwellings at the southern element of the site would result in some (less than substantial) harm to character and appearance of the Conservation Area, by virtue of their scale and massing. That being said, the proposals would represent a comprehensive redevelopment of the entire site, refurbishing and retaining all the historic farm buildings and the dry-stone boundary walls within the application site.
- 8.35 Given the importance of the historic farm group, the less than substantial harm caused by the massing and scale of the new buildings is considered to be outweighed by the public benefits arising by way of saving this important historic farm group and securing an optimum viable use, in accord with Paragraph 196 of the NPPF. Moreover, the identified public benefits are considered to amount to very special circumstance that would outweigh the harm identified in Green Belt terms.

- 8.36 Officers are of the view that, subject to conditions, there are no technical reasons that would warrant refusal of the application.
- 8.37 On balance, the proposals are therefore considered to represent an acceptable form of development in accord with the applicable Policies contained within the North East Derbyshire Local Plan and National Planning Policy Framework (NPPF).

## **9.0 SUMMARY OF CONSULTATIONS**

- 9.1 Ward Member: Called in for Committee determination.  
Parish Council: Objections  
County Highways: Objections  
Environmental Health: No Objections subject to conditions  
English Heritage: No comments  
County Archaeology: Objections  
Drainage: No comments  
Derbyshire Wildlife Trust: No objections  
Footpath: Objections  
Neighbour: 9 Representations  
Others: N/A

## **10.0 RECOMMENDATION**

Grant permission subject to the following conditions:

- 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 details shown on the following drawings 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:

Received at this office on 05.08.2020

- Topographical Survey Showing Demolition (000-005)
- Demolition Layouts - Sheet 1 (100-002)
- Threshing Barn - Proposed Ground Floor Plan (100-100)
- Threshing Barn - Proposed First Floor Plan (100-101)
- House Type A & B - Proposed Plans (100-200)
- House Type C - Proposed Plans (100-201)
- House Type D - Proposed Plans (100-202)
- Proposed Site Sections - Sheet 1 (200-101)
- Proposed Site Sections - Sheet 2 (200-102)
- Demolition Elevations - Sheet 1 (300-005)
- Demolition Elevations - Sheet 2 (300-006)
- Demolition Elevations - Sheet 3 (300-007)
- Demolition Elevations - Sheet 4 (300-008)
- Threshing Barn - Proposed Elevations (300-101)
- House Type A & B - Proposed Elevations (300-200)

- House Type C - Proposed Elevations (300-201)
- House Type D - Proposed Elevations (300-202)
- Boundary Treatment (400-001)
- Photomontage - View A (400-001)
- Photomontage - View B (800-002)

Received at this office on 24.10.2020

- Amended Location Plan (000-001)

Received at this office on 07.01.2020

- Amended Proposed Landscape Plan (000-010 PA2)
- Amended site plan (drawing number 003 PA2)
- Amended proposed lighting strategy (000-011 PA1)
- Amended proposed car parking provision (000-012 PA1)
- Amended threshing barn - proposed elevations (300-100)

- 3 Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order) no extensions (Part 1 Class A), dormer windows (Part 1 Class B), alterations to the roof (Part 1 Class C), curtilage buildings (Part 1 Class E), means of enclosure (Part 1 Class E), hard surfaces (Part 1 Class F), means of enclosure (Part 2 Class A) shall be erected/constructed without first obtaining planning permission.
- 4 Before above ground works start, a plan to show the positions, design, materials, height and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the occupation of the dwelling hereby approved and shall be retained as approved thereafter.
- 5 Before above ground works start, details of the existing ground levels, proposed finished floor levels of the proposed dwellings, and the proposed finished ground levels of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
- 6 Before above ground works start, precise specifications or samples of the walling and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
- 7 Prior to the commencement of development, precise details of the proposed works to convert the historic buildings to be retained within the site, including detailed drawings, shall be submitted to and agreed in writing by the Local Planning Authority. The proposed conversions of the retained buildings shall then take place strictly in accordance with the approved details.
- 8 The new build properties hereby approved shall not be occupied until the conversion of the existing historic buildings within the farm group have been substantively completed.



- 9 Before above ground works commence, the following shall be submitted to and approved in writing by the Local Planning Authority:
- a) a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land,
  - b) the details of any trees and hedgerows to be retained, together with measures for their protection during development,
  - c) a schedule of proposed plant species, size and density and planting locations and
  - d) an implementation programme
- 10 All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 11 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 12 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
- 13 No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
- 14 Before the commencement of the development hereby approved:
- a) A Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.
  - b) The contaminated land assessment shall include a desk-study with details of the history of the site use including:
    - the likely presence of potentially hazardous materials and substances,
    - their likely nature, extent and scale,
    - whether or not they originated from the site,
    - a conceptual model of pollutant-receptor linkages,
    - an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments,

- details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy

The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.

15 Before the commencement of the development hereby approved:

Where the site investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to CLR 11 and other relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.

16 The development hereby approved shall not be occupied until:

a) The approved remediation works required by 14 above have been carried out in full in compliance with the approved methodology and best practice.

b) If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in 14b to 15 above and satisfy 16a above.

c) Upon completion of the remediation works required by 15 and 16a above a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.

- 17 No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority.

The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"

Thereafter, development shall take place other than in accordance with the approved archaeological Written Scheme of Investigation.

- 18 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition 17 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 19 No development, including demolition, shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved by the local planning authority in writing, until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured. The Written Scheme of Investigation shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme and provision for post-investigation analysis and reporting
3. Provision to be made for publication and dissemination of the analysis and records of the site investigation
4. Provision to be made for archive deposition of the analysis and records of the site investigation
5. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation".

Thereafter, the development shall take place in accordance with the approved Written Scheme of Investigation for historic building recording.

- 20 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for historic building recording approved under condition 19 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 21 No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.
- 22 Prior to the commencement of development, including preparatory site clearance, a detailed badger survey for any recently excavated badger setts on the site or within 30 metres of the site boundary should be undertaken. The results and any appropriate mitigation/licensing requirements shall be submitted to the Local Planning Authority for approval. Such approved measures must be implemented in full.
- 23 All excavations shall be covered overnight or else have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipework greater than 150 mm should be blanked off at the end of the day and chemicals should be stored securely
- 24 Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority to achieve a net gain in biodiversity in accordance with the NPPF 2019. Such approved measures shall be implemented in full and maintained thereafter. Measures shall include (but are not limited to):
- a. Details of four habitat bat boxes, as per the recommendations within the reports by Estrada Ecology will be clearly shown on a plan (positions/specification/numbers).
  - b. Details of four bird boxes (including swift boxes) to be positioned on the dwellings will be clearly shown on a plan (positions/specification/numbers).
  - c. Details of at least 3 insect bricks / boxes will be clearly shown on a plan (positions/specification/numbers).
  - d. Measures to maintain connectivity for hedgehogs shall be clearly shown on a plan (fencing gaps 130 mm x 130 mm and/or railings and/or hedgerows).
  - e. Summary of ecologically beneficial landscaping (full details to be provided in Landscape Plans).

## **NORTH EAST DERBYSHIRE DISTRICT COUCIL**

### **PLANING COMMITTEE**

**30 JUNE 2020**

### **REPORT NO PM/02-20-21/AK OF THE PLANNING MANAGER – DEVELOPMENT MANAGEMENT**

### **PLANNING COMMITTEE – 30 June 2020**

•  
**REFERENCE NUMBER:** 20/00185/FL      Application Expiry Date: 03 July 2020  
(Extension of Time)

Application Type: Full Planning Permission

Proposal Description: Application for construction of Scout Hut and use of land for outdoor recreation (revised scheme of 18/01159/FL) (Conservation area/Affecting setting)

At: Land north of St Swinthin's Church, Vicarage Close, Holmesfield

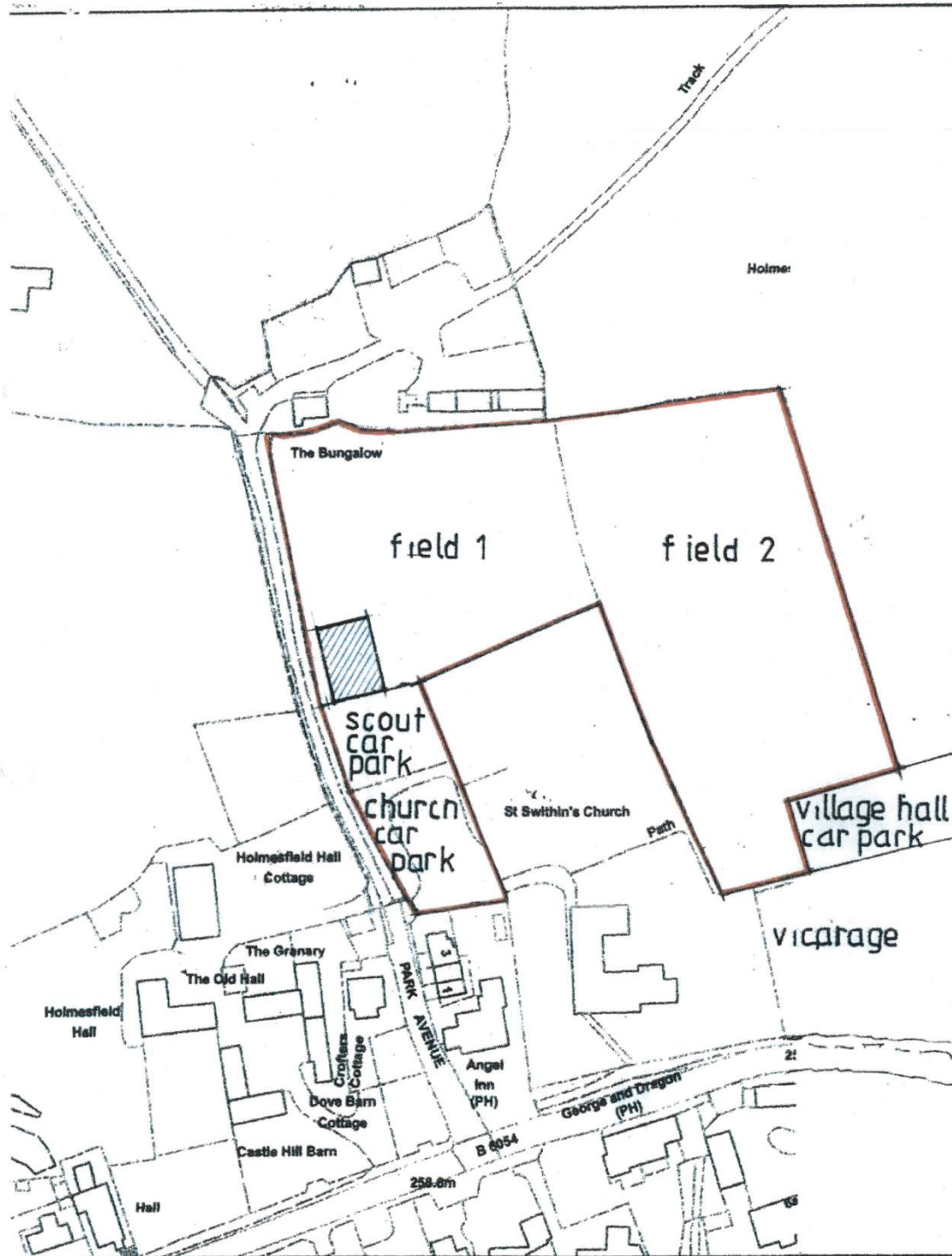
For: 3rd Holmesfield Scout Group C/O Agent

Third Party Reps: 4      Parish: Holmesfield  
Ward Name: Barlow and Holmesfield.

Author of Report: Colin Wilson      Date of Report: 12 June 2020

**MAIN RECOMMENDATION: Refuse Planning Permission**

# Location Plan scale 1:1250



## **1.0 Reason for Report**

- 1.1 Having been informed of the intention of Officers to refuse the application under Delegated Powers, the local Ward Member formally requested that the application be determined by Planning Committee, on the basis that they consider the proposals for a new scout hut to be beneficial to the young people of Holmesfield. The Local Ward Member advised that the Scout movement was an integral part of village life, until removed when the church hall was developed. The Ward Member concluded that this application represents an opportunity to re-instate the Scout group in their original home of Holmesfield.

## **2.0 Proposal and Background**

### **Site Description**

- 2.1 The application site is situated immediately to the north of the St Swithin's Church car park, which is accessed via Park Avenue (Holmesfield Footpath 7).
- 2.2 The application site is positioned outside the defined Settlement Development Limits for Holmesfield, within a countryside location designated as North East Derbyshire Green Belt. The site is situated within the Holmesfield Conservation Area and is located approximately 50m to the north-west of the Grade II Listed, St Swithin's Church. In addition, approximately 50m to the south-west of the application site are a range of Grade II\* Listed buildings comprising Holmesfield Hall and its associated buildings.
- 2.3 The site comprises an open, undeveloped field bound by hedgerows, trees and stone walls. The site is accessed via a gate at the northern edge of the existing church carpark. Across the site, land levels fall gradually in a northerly direction.

### **Proposals**

- 2.4 Full planning permission is sought for the construction of a scout hut. The proposed building would comprise stone clad walling materials and a dark grey standing seam/ zinc roof. The building would comprise a gable end roof design, with its ridge running north-south. The majority of the building's openings would be positioned at its eastern elevation, which would provide the main entrance to the building.
- 2.5 The footprint of the proposed building would measure approximately 19.5m x 14m. The proposed building would comprise eaves and ridge levels of 2.6m and 6.7m respectively, when measured from ground level.

The building would comprise a main hall, lobby, kitchen, toilets, back room and store rooms at ground floor level, with additional storage in the roofspace.

- 2.6 This application is a resubmission of application NED/18/01159/FL, which was refused under Delegated Powers in May 2019. The resubmission is supported by a planning statement (including a heritage appraisal) and a tree survey. Appendices 2 and 3 of the planning statement comprises a number of letters expressing support for the proposed development.

### **3.0 Relevant Planning History**

- 3.1 The planning history for the site comprises a single application, which is summarised as follows:

18/01159/FL – Application for construction of a scout hut (Conservation Area) (Amended Plans) – Refused.

### **4.0 Consultation Responses**

- 4.1 The **Ward Member** and **Parish Council** were consulted on the application:

- The Ward Member raised comments in support of the proposed development and requested that the application be determined by Committee rather than under Delegated Powers.
- The Parish Council made comments in support of the application on the basis of the proposals being beneficial for young people.

- 4.2 **Derbyshire County Council Highways Officers** were consulted on the application, reiterating the comments made in relation to application reference number 18/01159/FL, in which no objections were raised from a highway safety perspective, subject to conditions.

- 4.3 **NEDDC Environmental Health Officers** were consulted on the application, advising that they have no objections to the proposed development from an environmental protection viewpoint.

- 4.4 **The Water Authority (Yorkshire Water)** were consulted on the application – no comments were received.

### **5.0 Representations**

- 5.1 The application was publicised by way of neighbour letters and the display of a site notice – 4 letters of objection were received and can be summarised as follows:



- Highway safety issues and disruption for residents caused by increased vehicular movements, particularly given the limited width of Park Avenue and existing traffic generating uses in the locality such as the Church and public house.
- Concerns regarding the stated means of foul and surface water disposal.
- Negative impact on trees and hedgerows within the Conservation Area and Green Belt.
- Impact of the development in heritage terms.
- The proposed building would have an appearance of a 2 storey industrial unit.
- There are other buildings in the vicinity of the application site that could be used by the scout groups, should they wish to.
- The application site is not a practical location for the proposed use.
- Disruption and damage to the highway during the construction phase.

## **6.0 Relevant Policy and Strategic Context**

### North East Derbyshire District Local Plan

6.1 The North East Derbyshire Local Plan (adopted November 2005) forms the Development Plan for the area. The Local Plan policies most relevant to the proposals are set out below:

- BE1 General Design Principles
- BE9 Development in the Vicinity of a Listed Building
- BE11 Development Within and Adjoining Conservation Areas
- GS2 Green Belt
- GS6 New Development in the Countryside
- T2 Highway Access and the Impact of New Development

6.2 The emerging Local Plan was submitted for examination in May 2018, with public hearings taking place in November/December 2018 and March 2019. The Inspector issued her interim findings in letters dated 18 February and 21 March, 2019. Following local elections in May 2019, the Council paused the Plan, pending consideration of its options around housing numbers and Green Belt release. On 27 February, 2020 the Council announced the un-pausing of the Plan to allow it to proceed to the next stage of consultation on the Main Modifications. It is expected that this consultation will take place in Spring, with Plan adoption by the end of 2020. The emerging Local Plan is therefore at an advanced stage and should be attributed appropriate weight in decision making.

### National Planning Policy Framework

- 6.3 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.  
Planning (Listed Building and Conservation Areas) Act 1990
- 6.4 Section 66 of the Planning (Listed Building and Conservation Areas) Act sets out the general duty as respects listed buildings in exercise of planning functions. It states that the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.5 Section 72 of the Planning (Listed Building and Conservation Areas) Act sets out the general duty as respects listed buildings in exercise of planning functions. It states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

## **7.0 Planning Issues**

### **Green Belt Considerations**

- 7.1 It is stated in Paragraph 133 of the National Planning Policy Framework (NPPF) that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 7.2 Paragraph 134 of the NPPF sets out that Green Belt serves the following purposes; a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.3 Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. That being said, Paragraphs 145 and 146 of the NPPF identify a number of defined exceptions to inappropriate development in the Green Belt which includes the provisions of appropriate facilities for outdoor sport and outdoor recreation, as long as the facilities preserve the openness of the Green Belt.
- 7.4 Planning permission is sought for the construction of a scout hut on land within the North East Derbyshire Green Belt. Officers do not consider that the proposals comply with any of the defined exceptions set out in the

Policies described above. Officers are of the view that the proposed scout would not principally relate to outdoor sport or outdoor recreation. It is the view of Officers that the building would primarily support indoor recreation. Moreover, the proposed building is of significant scale and would be sited on an otherwise undeveloped parcel of land divorced from the defined settlement of Holmesfield. It is therefore considered that the proposed development by virtue of its scale and siting would fail to preserve the openness of the Green Belt in this locality and would represent an encroachment into the countryside.

- 7.5 On the basis of the above considerations, Officers are of the view that the proposed development represents an inappropriate form of development in the Green Belt and would also be in conflict with the stated purposes of including land in Green Belt, namely safeguarding the countryside from encroachment.
- 7.6 Paragraph 143 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 7.7 Paragraph 144 of the NPPF adds that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.8 The rationale for the proposed development is set out in the submission and Officers accept that there would be some social benefits arising as a consequence of the creation of a community facility. That being said, as set out in the National Planning Policy Framework, substantial weight must be given to any harm to Green Belt and very special circumstances will not exist unless the identified harm is clearly outweighed by other considerations. In this instance, Officers do not consider that the social benefits arising as a consequence of the proposed development would outweigh the identified Green Belt harm by way of inappropriateness and the resulting encroachment into the countryside.
- 7.9 For the above reasons, Officers are of the view that to grant planning permission would be contrary to Policy GS2 of the North East Derbyshire Local Plan and the aims of the National Planning Policy Framework.

### **Heritage Considerations**

- 7.10 Policy BE9 of the North East Derbyshire Local Plan relates to development in the vicinity of a Listed Building. The Policy states that

development affecting the setting of a Listed Building will only be permitted if it preserves or enhances that setting, and includes where appropriate the retention of trees and other landscape features.

- 7.11 Moreover, Local Plan Policy BE11 relates to development within and adjoining Conservation Areas. The Policy sets out that development proposals are required to preserve or enhance the character of the Conservation Area. In addition, Local Plan Policies require the design and detailing of proposals in and adjacent to Conservation Areas to respect the prevailing traditional built features of that Conservation Area.
- 7.12 The abovementioned Local Plan Policies relating to matters of heritage are not entirely consistent with the NPPF. Paragraph 196 of the NPPF stipulates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 7.13 In this instance, the proposed development would result in the introduction of a substantial building of a relatively utilitarian appearance on an otherwise open and undeveloped parcel of land within the Holmesfield Conservation Area. The character of this part of the Conservation Area is defined by open countryside, as it comprises a field outside the built framework of the village. Furthermore, the application site provides an open and rural setting to the settlement of Holmesfield and Grade II Listed St Swithin's Church.
- 7.14 The proposed development of the site is considered to fail to preserve or enhance the character of the Conservation Area in this locality. Moreover, the proposed building, which comprises a functional appearance, is not considered to preserve the rural setting of the Grade II Listed St Swithin's church.
- 7.15 In this instance, the public benefits of the creation of a new community facility are not considered to outweigh the harm to the abovementioned designated heritage assets. Consequently, the proposed development is considered to fail to accord with the fundamental requirements of North East Derbyshire Local Plan Policies BE9 and BE11, and the NPPF when read as a whole.

### **Neighbouring Amenity Considerations**

- 7.16 Given the comparatively remote location of the proposed scout hut, Officers are satisfied that the proposed development would not give rise to any unduly harmful impacts in neighbouring amenity terms. Furthermore, NEDDC Environmental Health Officers were consulted on the application,

advising that they have no objections to the proposed development from an environmental protection viewpoint.

### **Highway Safety Considerations**

- 7.17 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.18 Derbyshire County Council (DCC) Highways Officers were consulted on the application, ultimately advising that they have no objections to the proposed development from a highway safety viewpoint, reiterating their comments made in relation to the previous application NED/18/01159/FL:
- 7.19 Highways Officers advised that it is inevitable that traffic generated by the development will result in the potential for some congestion and delay on the local highway network, particularly around group start and finish times, and whilst it is acknowledged that this is likely to be an annoyance to existing local residents, the level of traffic generated is unlikely to occur to a degree that would justify a technical highway-based objection which could reasonably be sustained in the event of an appeal; particularly given that this will be for a period of short duration, and on a limited number of days.
- 7.20 On the basis of the above advice from DCC Highways Officers, it is not considered that the proposed development would result in any unacceptable impacts in highway safety terms.

### **8.0 Summary and Conclusion**

- 8.1 Planning permission is sought for the construction of a scout hut on land within the North East Derbyshire Green Belt. It is considered that the scout hut would not principally relate to outdoor sport or outdoor recreation but would primarily support indoor recreation. Furthermore, the proposed building is of significant scale and would be sited on an otherwise undeveloped parcel of land, divorced from the defined settlement of Holmesfield.
- 8.2 It is therefore considered that the proposed development, by virtue of its scale and siting, would fail to preserve the openness of the Green and would represent an encroachment into the countryside. Consequently, the proposed development represents an inappropriate development in the Green Belt.

- 8.3 Officers are of the view that the public benefits arising from the creation of a new scout hut in this location would not outweigh the harm to the Green Belt, by way of inappropriateness and encroachment into the countryside. Therefore, it is not considered that any very special circumstances exist.
- 8.4 The proposed development would result in the introduction of a substantial building of a utilitarian appearance on an otherwise open and undeveloped parcel of land within the Holmesfield Conservation Area. The character of this part of the Conservation Area is defined by open countryside, as it comprises a field outside the built framework of the village. The proposed development of the site would detract from the character of the Conservation Area in this locality. The public benefits of the creation of a new community facility are not considered to outweigh the harm to the Conservation Area.
- 8.5 The application site provides an open and rural setting to the settlement of Holmesfield and the Grade II Listed St Swithin's Church, which adjoins the application site. The proposed building, which comprises a functional appearance, is not considered to preserve the setting of the Grade II Listed St Swithin's church.

Whilst the harm to the setting of the Listed Church is considered to be less than substantial, the public benefits arising from the creation of a new community facility are not considered to outweigh the harm to the designated heritage assets affected by the proposals.

- 8.6 On the basis of the above considerations, to grant planning permission would be contrary to the requirements of Policies BE9 (Development in the Vicinity of a Listed Building), BE11 (Development Within and Adjoining Conservation Areas), GS2 (Development in the Green Belt), and GS6 (New Development in the Countryside) of the North East Derbyshire Local Plan, and the NPPF when read as whole.
- 8.7 There are no technical objections to the proposed development.

## **9.0 Recommendation**

- 9.1 In light of the above considerations, it is considered that the proposals represent an unacceptable form of development. Officers therefore recommend that the application should be **refused**.

## **Reasons for Refusal**

- 1) It is stated in Paragraph 133 of the National Planning Policy Framework (NPPF) that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by

keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 134 of the NPPF sets out that, inter alia, Green Belt serves to assist in safeguarding the countryside from encroachment.

Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. That being said, Paragraphs 145 and 146 of the NPPF identify a number of defined exceptions to inappropriate development in the Green Belt, which includes the provisions of appropriate facilities for outdoor sport and outdoor recreation as long as the facilities preserve the openness of the Green Belt.

In this instance, planning permission is sought for the construction of a scout hut on land within the North East Derbyshire Green Belt. It is considered that the scout would not principally relate to outdoor sport or outdoor recreation but would primarily support indoor recreation. Furthermore, the proposed building is of significant scale and would be sited on an otherwise undeveloped parcel of land divorced from the defined settlement of Holmesfield. It is therefore considered that the proposed development by virtue of its scale and siting would erode the openness of the Green Belt in this locality and would represent an encroachment into the countryside. Consequently, the proposed development represents an inappropriate development in the Green Belt.

Paragraph 143 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In this instance, no very special circumstances exist that would outweigh the harm to the Green Belt by way of inappropriateness.

- 2 Policy BE9 of the North East Derbyshire Local Plan relates to development in the vicinity of a Listed Building. The Policy states that development affecting the setting of a Listed Building will only be permitted if it preserves or enhances that setting, and includes where appropriate the retention of trees and other landscape features.

Paragraph 196 of the National Planning Policy Framework (NPPF) stipulates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The application site provides an open and rural setting to the settlement of Holmesfield and the Grade II Listed St Swithin's Church, which adjoins the application site. The proposed building, which comprises a functional

appearance, is not considered to preserve the setting of the Grade II Listed St Swithin's church.

Whilst the harm to the setting of the Listed Church is considered to be less than substantial, the public benefits arising from the creation of a new community facility are not considered to outweigh the harm to the designated heritage asset.

On the basis of the above, the proposed development is considered to fail to accord with the fundamental requirements of North East Derbyshire Local Plan Policy BE9 and the NPPF when read as a whole.

- 3 Local Plan Policy BE11 relates to development within and adjoining conservation areas. The Policy sets out that development proposals are required to preserve or enhance the character of the Conservation Area. In addition, the Policy requires the design and detailing of proposals in and adjacent to Conservation Areas to respect the prevailing traditional built features of that Conservation Area.

Paragraph 196 of the NPPF stipulates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In this instance, the proposed development would result in the introduction of a substantial building of a utilitarian appearance on an otherwise open and undeveloped parcel of land within the Holmesfield Conservation Area. The character of this part of the Conservation Area is defined by open countryside, as it comprises a field outside the built framework of the village. The proposed development of the site would detract from the character of the Conservation Area in this locality.

The public benefits of the creation of a new community facility are not considered to outweigh the harm to the Conservation Area. Therefore, to grant planning permission would be contrary to Policy BE11 of the North East Derbyshire Local Plan, and the NPPF when read as a whole.



## **North East Derbyshire District Council**

### **Planning Committee**

**30 June 2020**

#### **Planning Appeals Lodged and Determined**

#### **Report No PM/4/20-21/AK of the Planning Manager – Development Management**

This report is public

#### **Purpose of the Report**

- To inform the Committee of the appeals lodged and determined.

#### **1 Report Details**

##### **1.1 Appeals Lodged**

The following appeals have been lodged:-

**Mrs A Hayward - Conversion of Traditional Buildings to B1(a) Office Use, A3 Cafe; Conversion of Farm Building to B1(c) Joiners Workshop; Demolition of Existing Agricultural Buildings and the Provision of Car Parking (Conservation Area/Listed Building/Resubmission of 17/01251/FL) (Amended Plans/ Amended Title) at Renishaw Hall, Renishaw Park, Renishaw (18/01116/FL)**

**Mrs A Hayward - Application for listed building consent for Conversion of Traditional Buildings to B1(a) Office Use, A3 Cafe; Conversion of Farm Building to B1(c) Joiners Workshop; Demolition of Existing Agricultural Buildings and the Provision of Car Parking (Conservation Area/Listed Building/Resubmission of 17/01251/FL) (Amended Plans/ Amended Title) Renishaw Hall, Renishaw Park, Renishaw (18/01117/LB)**

Planning Officer – Colin Wilson – [Colin.Wilson@ne-derbyshire.gov.uk](mailto:Colin.Wilson@ne-derbyshire.gov.uk)

**Mr T Brooks - Application for prior approval for the change of use of an existing agricultural barn to two dwellings (Resubmission of 16/01049/CUPDMB) at Bacons Springs Farm, Mill Lane, Clay Cross (19/01117/CUPDMB)**

Planning Officer – (AP) Susan Wraith - [Susan.Wraith@ne-derbyshire.gov.uk](mailto:Susan.Wraith@ne-derbyshire.gov.uk)

**Mr Cliff Richards - Outline application for the erection of up to 250 dwellings (Major Development/Contrary to development plan/Affecting a Public Footpath)(Amended Plans)(Amended Title) at Land East Of Williamthorpe Road And South Of Tibshelf Road, Holmewood (18/01170/OL)**

Planning Officer – (AK) Susan Wraith - [Susan.Wraith@ne-derbyshire.gov.uk](mailto:Susan.Wraith@ne-derbyshire.gov.uk)

**Mr W Clay - Approval of Reserved Matters (access, layout, scale, appearance and landscaping) for 3 dwellings pursuant to outline planning permission 15/01225/OL (Affecting a public right of way) at The Bungalow, Park Farm, Park Avenue, Holmesfield (19/00451/RM)**

Planning Officer – (AA) Susan Wraith - [Susan.Wraith@ne-derbyshire.gov.uk](mailto:Susan.Wraith@ne-derbyshire.gov.uk)

**Mr T Henighan - Construction of ground and first floor extension to side and rear to provide new dwelling at 44 Church Lane, Calow (19/00878/FL)**

Planning Officer – (AA) Susan Wraith - [Susan.Wraith@ne-derbyshire.gov.uk](mailto:Susan.Wraith@ne-derbyshire.gov.uk)

**Mr and Mrs D Walker - Outline application with all matters reserved except of access for the erection of two dwellings at Land To The North Of School Farm Church Land And South Of Cornlands, Carr Lane, Brackenfield (19/01063/OL)**

Planning Officer – (AA) Susan Wraith - [Susan.Wraith@ne-derbyshire.gov.uk](mailto:Susan.Wraith@ne-derbyshire.gov.uk)

**Mr and Mrs Corker - Application for American barn style stables and manege (revised scheme of 19/00325/FL) at Cowley Hall Farm, Cowley Lane, Holmesfield (19/01197/FL)**

Planning Officer – (AA) Susan Wraith - [Susan.Wraith@ne-derbyshire.gov.uk](mailto:Susan.Wraith@ne-derbyshire.gov.uk)

**C/O Neil Twigg - Application to vary condition 5 (Construction traffic Management plan) and 7 (timetable to green lane access) pursuant of 14/00901/FL at Land To The Rear Of 14 To 22 Green Lane And 4 To 16 Park Avenue, Dronfield (19/01147/FL)**

Planning Officer – Philip Slater – [Philip.Slater@ne-derbyshire.gov.uk](mailto:Philip.Slater@ne-derbyshire.gov.uk)

**Ms A Strong - Construction of a two-storey extension at Bluebell Woods Cottage, Barlow Lees Lane, Barlow (20/00009/FLH)**

Planning Officer – Kevin Figg – [Kevin.Figg@ne-derbyshire.gov.uk](mailto:Kevin.Figg@ne-derbyshire.gov.uk)

**Mr Bowler - Conversion of garage with first floor extension over at Bonne Vienne, Staveley Road, Duckmanton (20/00073/FLH)**

Planning Officer - Aspbury Planning - [developmentcontrol@ne-derbyshire.gov.uk](mailto:developmentcontrol@ne-derbyshire.gov.uk)

**Mr W Treece - SAS Homes - Proposed residential development of 3no Eco Homes (resubmission of 18/00609/FL)(Conservation Area/Affecting the setting of a Listed Building) at Sutton Manor, Palterton Lane, Sutton Scarsdale (19/00626/FL)**

Planning Officer - Graeme Cooper – [Graeme.Cooper@ne-derbyshire.gov.uk](mailto:Graeme.Cooper@ne-derbyshire.gov.uk)

**Ms R Johnson - Application for Listed Building consent for the installation of two cream composite doors (Listed building) at Crofters Barn, Westthorpe Road, Killamarsh (19/00748/LB)**

Planning Officer – (AA) Susan Wraith - [Susan.Wraith@ne-derbyshire.gov.uk](mailto:Susan.Wraith@ne-derbyshire.gov.uk)

## 1.2 **Appeals Allowed**

The following appeals have been allowed :-

**Mr A Cox - Green 4 Developments Ltd – Outline application (all matters other than access reserved for further approval) for the erection of 24 dwellings, new access and provision of open space (Revised scheme of NED/17/01243/OL)(Major Development)(Departure from Development Plan)(Affecting the setting of a Listed Building/Conservation Area) (Amended Plan) (Amended Title) at Land North Of 92 Chesterfield Road, Shirland (19/00056/OL)**

Means of Determination – Committee

Planning Officer's Recommendation – Approve

Planning Officer – Philip Slater – [Philip.Slater@ne-derbyshire.gov.uk](mailto:Philip.Slater@ne-derbyshire.gov.uk)

**Mr and Mrs A Cain- Green 4 Developments Ltd – Retention of single/two-storey front extension, two-storey side extension and single-storey rear extension with rendering to the external facades of the property (Amended Plans) (Conservation Area) (Revised scheme of 18/00567/FLH) at 6 Wellfield Close, Ridgeway (19/00680/FLH)**

Means of Determination – Committee

Planning Officer's Recommendation – Approve

Planning Officer – Kevin Figg– [Kevin.Figg@ne-derbyshire.gov.uk](mailto:Kevin.Figg@ne-derbyshire.gov.uk)

**C/O Neil Twigg - Application to vary conditions 5 (Method statement) and 7 (Implementation Plan and Timetable) pursuant of 14/00901/FL (Amended title/Amended plans) at Land To The Rear Of 14 To 22 Green Lane And 4 To 16 Park Avenue, Dronfield (19/00809/FL)**

Means of Determination – Committee

Planning Officer's Recommendation – Approve

Planning Officer – Philip Slater – [Philip.Slater@ne-derbyshire.gov.uk](mailto:Philip.Slater@ne-derbyshire.gov.uk)

**An application for costs was allowed.**

### 1.3 **Appeals Dismissed**

The following appeals have been dismissed:-

**Mr And Mrs Linell - Application to convert triple garage together with single storey side extension to form dwelling at Highbrook , Far Lane , Barlow (19/00540/FL)**

Means of Determination – Delegated

Planning Officer's Recommendation – Refuse

Planning Officer – Susan Wraith - [Susan.Wraith@ne-derbyshire.gov.uk](mailto:Susan.Wraith@ne-derbyshire.gov.uk)

**Mr and Mrs Temperton - Proposed two storey detached dwelling with detached garage/ancillary accommodation (revised scheme of previously withdrawn 18/01277/FL) (Amended Title/Amended Plans) at Carbery Wood, Kelstedge Lane, Brockhurst, Ashover (19/00453/FL)**

Means of Determination – Committee

Planning Officer's Recommendation – Approve

Planning Officer – Graeme Cooper – [Graeme.Cooper@ne-derbyshire.gov.uk](mailto:Graeme.Cooper@ne-derbyshire.gov.uk)

**Mr A Rowland - Erection of single detached dwelling on infill plot. (Conservation area) at Land North Of Main Road, Troway, Marsh Lane (19/00525/OL)**

Means of Determination – Committee

Planning Officer's Recommendation – Refuse

Planning Officer – Colin Wilson – [Colin.Wilson@ne-derbyshire.gov.uk](mailto:Colin.Wilson@ne-derbyshire.gov.uk)

**1.4 Appeals Withdrawn**

No appeals have been withdrawn.

**2 Conclusions and Reasons for Recommendation**

2.1 N/a.

**3 Consultation and Equality Impact**

3.1 N/a.

**4 Alternative Options and Reasons for Rejection**

4.1 N/a.

**5 Implications**

**5.1 Finance and Risk Implications**

N/a.

**5.2 Legal Implications including Data Protection**

N/a.

**5.3 Human Resources Implications**

N/a.

**6 Recommendations**

6.1 N/a.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC:      Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC:   Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	Yes/No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	Yes/No
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	All

## 8 Document Information

Appendix No	Title	
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)		
<b>Report Author</b>		<b>Contact Number</b>
Katie Spelman		217172