

## **PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON TUESDAY, 25 AUGUST 2020**

#### **Present:**

Councillor Jayne Barry – Vice-Chair (in the Chair)

Councillor Andrew Cooper  
Councillor Carol Huckerby  
Councillor Alan Powell  
Councillor Kathy Rouse  
Councillor Pat Antcliff  
Councillor Lee Hartshorne

Councillor William Armitage  
Councillor Mark Foster  
Councillor Maureen Potts  
Councillor Jacqueline Ridgway  
Councillor Ross Shipman  
Councillor Roger Hall

#### **Also Present:**

A Kirkham	Planning Manager - Development Management
G Cooper	Senior Planning Officer
J Fieldsend	Legal Team Manager (non contentious)
A Maher	Senior Governance Officer
D Stanton	Governance Officer
M E Derbyshire	Members ICT & Training Officer
A Bryan	PA to Cabinet and Civic Officer

#### **PLA/ Apologies for Absence and Substitutions**

**20/2**

**0-21** Apologies were received from Councillors P Elliott, T Reader and D Ruff. Councillors R Hall, L Hartshorne and P Antcliff substituted respectively.

#### **PLA/ Declarations of Interest**

**21/2**

**0-21** No declarations of interest were received.

#### **PLA/ Minutes of the meetings held on 28 July at 10am and at 2pm**

**22/2**

**0-21** The minutes of the special Planning Committee held at 10am on Monday 28 July 2020, were approved as a true record.

The minutes of the Planning Committee held at 2pm on Monday 28 July 2020 were approved as a true record.

#### **PLA/ NED/19/01174FL - Fleur De Lys Hotel, Main Road, Unstone, Dronfield S18 4AB**

**0-**

**21a**

The report to Committee explained that an application had been submitted for the erection of a two storey building, comprising four 2 bedroom flats, with parking for six cars and associated landscaping, all within the curtilage of the former public house, Fleur De Lys Hotel, Main Road, Unstone, Dronfield S18 4A for Crispfine Limited Nick Stoddard and Daly.

The application had been referred to Committee by the ward Member, who had raised concerns about it.

One Objector, Councillor A. Dale the Ward Councillor spoke against the application. No one spoke in support of the application.

Committee considered the application. In particular, it took into account the relevant Planning issues in reaching its determination on the application. These included the potential impact on the Greenbelt, its location outside the Settlement Development Limits and whether it would have an impact on the countryside and character of the area. Committee also considered the possible impact on neighbouring properties, drainage and the proposed access to parking.

Members discussed the application. In particular, they heard of concerns that had been raised about the possible environmental impact of the development including the risk of surface water affecting neighbouring properties. They also discussed the location of the proposed development within the Greenbelt and concerns about the potential road safety implications of the development, especially if it resulted in greater on-street parking.

#### RESOLVED -

(a) That the application be rejected, contrary to officer recommendations.

(b) That the ground for rejection focus on the following grounds:

1. The application is considered unacceptable, as by reason of its location on the site close to the highway, the proposed building would cause substantial harm to the openness of this Green Belt location. It would therefore represent inappropriate development which is, by definition, harmful and which should not be approved except in very special circumstances. In this case, the provision of affordable housing is not considered to represent very special circumstances to override the substantial harm that would be caused. As such, the proposal would be contrary to policies GS2 and H9 of the North East Derbyshire Local Plan, policies SS10 and LC3 of the North East Derbyshire Local Plan (2014-20343) Publication Draft and the National Planning Policy Framework when read as a whole.
2. The application is considered unacceptable as the level of car parking, when taken cumulatively with that catering for the approved scheme for the conversion of the Fleur de Lys building itself, is insufficient to cater for demand for such a facility and would result in parking being displaced onto the public highway. This would have an unacceptable impact on highway safety contrary to the National Planning Policy Framework when read as whole.
3. The application is considered unacceptable as the proposed building would be located only 3 metres from the culvert that passes through the site. This minimal distance is considered insufficient to ensure the ongoing and proper operation of the culvert and so compromise the surface water drainage of the site and surrounding land. As such, it is considered

contrary to policy CSU4 of North East Derbyshire Local Plan and the National Planning Policy Framework when read as whole.

**PLA/ 24/2 0-21** **NED/20/00376/TPO - 156 Holymoore Road, Holymoorside, Chesterfield S42 7DS**

The report to Committee explained that an application had been submitted to fell 2 Ash trees and 1 Sycamore tree covered by North East Derbyshire Tree Protection Order (TPO) No.57 at 156 Holymoore Road, Holymoorside, S42 7DS for Trevor Coates.

The application had been referred to the Committee by a local Ward Member, who had requested that the application be decided by Planning Committee, so that it could assess the amenity value of the trees on site.

Four objectors spoke against the application.

The Agent for the application spoke in support of it.

No supporters spoke in favour of the application.

Committee considered the application. In this context, it took into account the relevant Planning issue in reaching its determination on the application. These included the existing and emerging Local Plan requirement that suitable replacements should be planted when trees are lost to development and the impact of the public amenity value of the group of trees covered by this Tree Protection Order.

Committee discussed the application. In particular, it discussed the health of the three specified trees, whether with appropriate action some of them could be saved and what size any replacement trees might be. Members also discussed the role of the Planning Authority and the future maintenance arrangements for those trees covered by the order.

**RESOLVED -**

- (a) That in line with officer recommendations permission be granted to remove the tree designated as T1, suffering from Ash Die Back, with a condition that a substantial tree be planted to replace it.
- (b) That permission not to remove the other two designated trees not be granted, contrary to officer recommendations.

**PLA/ 25/2 0-21** **NED/18/01278/OL - Cottage Farm, Matlock Road, Wessington**

The report to Committee explained that an application for outline planning permission had been submitted for the conversion of existing car sales and storage buildings to create a farm shop, garden centre, restaurant and tearoom, erection of a holiday lodge complex with reception facilities, construction of a new access (Major Development) at land surrounding Cottage Farm, Matlock Road, Wessington for Wessington Park Developments Ltd, Matlock Road, Wessington, c/o the Agent.

The report explained that officers considered the scale and character of the development, together with the degree of public interest, was such that Committee determination on the application would be appropriate.

Eight objectors spoke against the application, including Councillor Charlotte Cupit as a ward Member.

One supporter spoke in favour of the application.

Members were directed to the recent late comments report, which had been issued the afternoon prior to the meeting.

Committee considered the application. It took into account the relevant planning issues in reaching its determination on the application. These included the location of the application site outside of the Settlement Development Limits, the impact on the landscape, character and appearance of the area and its layout and detail. The Committee also considered the potential implications for road safety and the impact on the ecology of the area.

Members discussed the application. In particular, Members discussed the scale of the proposed development and its intrusion into the countryside. Concern was also raised about the possible environmental impact, the sustainability of the proposed development and whether any harm would be offset by possible benefits. As part of this, Members heard the concerns that had been raised about the development and the support for it which had been expressed.

#### **RESOLVED -**

(a) That the application be refused, contrary to officer recommendations

(b) That the reasons for refusal focus on the following grounds:

The application site is located in the countryside. The application is considered unacceptable as its scale and character is not considered compatible with the proposed location, it would result in a prominent intrusion into, and not be in keeping with, the countryside and fail to conserve, protect and enhance the natural environment. As such, it is contrary to policies GS1, GS6 and NE1 of the North East Derbyshire Local Plan, policies 1, 2, 3 and 8 of the Wessington and the National Planning Policy Framework when read as whole.

#### **PLA/ Appeals - Lodged and Determined**

**26/2**

**0-21**

No appeals had been lodged, allowed or withdrawn.

The following appeals had been dismissed:-

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)

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)

**PLA/** **Matters of Urgency**  
**27/2**  
**0-21** None.