

PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 23 AUGUST 2022

Present:

Councillor Diana Ruff (Chair) (in the Chair)

Councillor William Armitage
Councillor Peter Elliott
Councillor Heather Liggett
Councillor Kathy Rouse
Councillor Lilian Deighton

Councillor Andrew Cooper
Councillor Maggie Jones
Councillor Jacqueline Ridgway
Councillor Stephen Clough
Councillor Tony Lacey

Also Present:

A Kirkham	Planning Manager - Development Management
S Wraith	Consultant Planner
C Wilson	Senior Planning Officer
L Ingram	Legal Team Manager - Contentious Team
J Owen	Chartered Legal Executive
A Bond	Governance Officer
A Maher	Interim Governance Manager

PLA/ Apologies for Absence and Substitutions

27/2

2-23

Apologies for absence were received from Councillor R Hall, who was substituted by Councillor S Clough. Apologies were received from Councillor L Hartshorne, who was substituted by Councillor T Lacey and from Councillor M Foster who was substituted by Councillor L Deighton. Apologies for absence were also received from Councillor A Powell and D Hancock.

PLA/ Declarations of Interest

28/2

2-23

There were no Declarations of Interest.

PLA/ Minutes of Last Meeting

29/2

2-23

The minutes of the meeting held on Tuesday 26 July 2022 were approved as a true record.

PLA/ NED/21/00214/FL - BARLOW

30/2

2-23

The report to Committee explained that an Application had been submitted for the retention of a café for general café use and the retention of the existing café building as currently built at Lakeside Café, Fishing Ponds, Keepers Lane, Barlow. The Application involved Amended Plans and Amended Title. It had been referred to Committee by the Planning Manager (Development Management) because of the complex planning issues which the Application had raised.

Planning Committee was recommended to approve the Application, subject to

conditions. The report to Committee explained the reasons for this.

Members heard about the complicated and long-running planning history of the development, which was now in place. In particular, they heard how it had been subject to a Planning Enforcement Enquiry, that there had subsequently an application for a Lawful Development Certificate, and how planning officers had refused this application, using their delegated powers.

The report explained how the original application had been modified. This meant that permission for two additional buildings was no longer requested. Rather, the Application only now sought to retain the existing structure so that it could continue to be used as a café. Officers felt that because of their scale and construction the existing development was appropriate for the countryside and that planning permission should be granted.

Before the Committee discussed the Application, it heard from D Hann, the Agent for the Application. No one had registered to speak against it.

Planning Committee considered the Application. It took into account the relevant Planning Issues, including the Principle of Development and the site's location within the Green Belt. Committee considered National and Local Green Belt policy, including Local Plan Policy 2b, allowing appropriate facilities for outdoor sports, which do not impact on the visual aspect of Green Belt openness, for outdoor sports. It took into account the implications for highways safety, and in this context Local Plan Policy ID3 and National Planning Policy Paragraph 11 on the specific grounds when development should be prevented or refused – if there would be an unacceptable impact on highway safety or if there would be a severe impact on the road network.

Committee also took into account Local Plan Policy SDC6 on developments affecting listed buildings. It considered and what impact the development would have on the nearby Grade II listed Lee Bridge. Committee

Members discussed the Application. They discussed the scale of the structure, the use made of the café and potential for greater use in the future. In this context, Members discussed extensively how traffic to and from the café was managed and if this could be improved. They heard about the specific proposals to access part of the access path, so that visitors to the site would not have to reverse on to main highway. Some Members felt that a traffic management scheme for traffic visiting and leaving should be drawn-up.

Members discussed what impact had on the Grade II listed Lee Bridge and whether might increase if the development received retrospective planning permission They reflected on the rules relating to Enforcement Notices and the circumstance where the usual 4 year time limit for taking action against developments that do not have planning permission would not apply

At the conclusion of the discussion, Councillor P Elliot and D Ruff moved and seconded a recommendation to approve the Officer recommendations, subject to two additional conditions. These would requiring a scheme of works for the vegetation that would have to be removed as part of the partial path widening along with an overall scheme of traffic management to and from the development.

The motion was put to the vote and was approved.

RESOLVED -

- (1) That the Application be approved conditionally in line with officer recommendations
- (2) That the final wording and content of the conditions be delegated to the Planning Manager (Development Management).

PLA/ NED/22/00618/FL - DRONFIELD

**31/2
2-23**

The report to Committee explained that an Application had been submitted for retrospective planning permission to erect a new agricultural building for storage at land opposite 5 to 44 Bowshaw, Dronfield. The Application had been referred to the Committee by Councillor P Wright, who had raised concerns about it.

Planning Committee was recommended to approve the Application. The report to Committee explained the reasons for this. Officers had concluded that the building, in association with agriculture, was an acceptable land use in the Green Belt and countryside areas. The scale, design and siting of what had been constructed was in keeping with the character and appearance of the surrounding countryside. The development had not had an adverse impact on nearby residents. It accorded with the relevant policies in the Development Plan and there were no other factors to outweigh that conclusion.

Members were informed that no one had registered to speak on the Application.

Committee considered the Application. It took into account its location outside of the Settlement Development Limits for Dronfield, within the Green Belt and an area of Primary Environmental Sensitivity. It considered Local Plan Policy SS1, which supports sustainable development which protects and enhances the character, quality and diversity of the District's local landscapes and the wider countryside. Committee also took into account Local Plan Policy SS10, which allows appropriate development within the Green Belt, such as agricultural building and Local Plan Policy SDC3 on protecting the landscape and the relevant policies of the Dronfield Neighbourhood Plan.

Members discussed the Application. They reflected on what impact it might have on the landscape. Some Members felt that appropriate vegetation screening should be put in place. Some Members asked and received assurance that no external lighting on the structure would be permitted. It was also reiterated that, if approved, the building could only be used for agricultural purposes and not for other activities.

At the conclusion of the discussion Councillor W Armitage and P Elliot moved and seconded a motion that the Application be approved. The motion was put to the vote and was agreed

RESOLVED -

- (1) That the Application be conditionally approved, in line with officer recommendations.
- (1) That the final wording of the conditions be delegated to the Planning Manager (Development Management).

Conditions

- 1 The building hereby approved shall be used solely for agriculture and for no other use or purpose.
- 2 Within 56 days of the date of this permission, the following shall be submitted to and be 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 and their ongoing maintenance,
 - c) a schedule of proposed plant species, size and density and planting locations and
 - d) an implementation programme, including a timetable for delivery.
- 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 approval of the scheme. Any trees or plants which within a period of 5 years from the date of approval of this permission die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 4 No external lighting shall be installed on/placed/or affixed to the building or placed on the site and the building shall not be artificially illuminated in any way.

Reasons for Conditions

- 1 For clarity, the avoidance of doubt, as the application was made in this form and as other uses would be inappropriate in the Green Belt.
- 2 In the interest of the appearance of the area, to soften the building and ensure the retention of the roadside hedgerow.
- 3 To ensure implementation of the landscaping scheme in the interest of the appearance of the area.
- 4 As the site lies in a countryside location where lighting would adversely affect the amenity of the area.

PLA/ Planning Appeals - Lodged and Determined

32/2

2-23

The report to Committee explained that five appeals had been lodged and three Enforcement Appeals had been lodged. No Appeals had been allowed and one appeal had been dismissed.

PLA/ Matters of Urgency

33/2

2-23

None.

Draft