

## **PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON TUESDAY, 20 SEPTEMBER 2022**

#### **Present:**

Councillor Diana Ruff (Chair) (in the Chair)  
Councillor Alan Powell (Vice-Chair)

Councillor William Armitage  
Councillor Mark Foster  
Councillor Lee Hartshorne  
Councillor Maggie Jones  
Councillor Kathy Rouse

Councillor Andrew Cooper  
Councillor Roger Hall  
Councillor David Hancock  
Councillor Heather Liggett

#### **Also Present:**

G Cooper	Principal Planning Officer
A Lockett	Senior Planning Officer
J Owen	Chartered Legal Executive
A Bond	Governance Officer
A Maher	Interim Governance Manager

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

**34/2**

**2-23** Councillor P Elliot and Councillor J Ridgway.

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

**35/2**

**2-23** None.

#### **PLA/ Minutes of Last Meeting**

**36/2**

**2-23** The Minutes of the meeting held on Tuesday 23 August 2022 were approved as a true record.

#### **PLA/ NED/22/00380/FL - KILLAMARSH**

**37/2**

**2-23** The report to Committee explained that an Application had been submitted for the change of use from a shop and house to a nine bed Home of Multiple Occupation (HMO) at 205-207 Sheffield Road, Killamarsh. The Application involved Amended Plans and Amended Title. It had been referred to Committee by local ward Councillor, S Clough, who had raised concerns about it.

Planning Committee was recommended to approve the Application, subject to conditions. The report to Committee explained the reasons for this.

Members were informed of the building's current role as a convenience store. The change of use, it was explained, would not have an adverse impact on Killamarsh Town Centre. This was because the shop was located at the edge of the town centre, rather than in its core, and there were nearby business offering similar services to it. Officers recognised that the HMO would not have its own

designated parking, but they did not believe that this would exacerbate on street or other parking problems. Most of its residents, they contended, were not expected to have cars; but would rely instead on the nearby good public transport links. The proposal had been assessed against the relevant standards, which had indicated that it would provide an acceptable level of amenity to its residents and not have an adverse impact on neighbouring businesses or households. The proposed conversion, officers concluded, would be in line with Council's Development Plan policies and so should be approved.

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

Planning Committee considered the Application. It took into account the relevant Planning Issues. In particular, the Principle of Development and its status as an Unallocated Site within the Settlement Development Limits (SDL) for Killamarsh. It considered National and Local Planning Policy, including Local Plan Policy SS7, which permits development on those sites within Settlement Development Limits which have not been allocated within the Local Plan or Neighbourhood Plan.

Committee took into account other relevant policies. These included Policy WC4, requiring that proposals for retail and other town centre uses in the District's Centres contribute to their vitality and viability and Policy ID5, requiring that development proposals which would result in the loss of social infrastructure facilities, such as local shops not be permitted, unless the service was no longer needed or could be provided in an alternative way.

Members discussed the Application. They reflected on the scale of the development and the number of people to be accommodated in the HMO. Some Members questioned whether the proposed facilities would, in practice, be adequate for the residents. They sought and received clarification that the proposed conversion would be in line with the proposed standards. Some Members also sought clarification on what emergency safety measures would be put in place as part of the conversion and especially the fire escape arrangements to be used by residents.

Members discussed the potential impact of the conversion on the local area. Some Members sought clarification on what the likely travel requirements of the HMO residents would be. They asked for clarification on whether these requirements had been adequately assessed. Concern was also raised about the lack of on-site parking for the conversion. Members queried whether the Highways Authority had produced a draft Parking Standard for Housing in Multiple Occupation, which officers were asked to clarify. Some Members felt that, if appropriate, this Standard should be taken into account when the Committee considered and determined on the Application.

At the conclusion of the discussion Councillor D Ruff and Councillor D Hancock moved and seconded a motion to defer further consideration of the Application, until additional information could be provided to the Committee about the fire safety arrangements, the likely travel requirements of residents and how these would be met and the possible additional parking requirements that would be created as a result of the development.

The motion was put the vote and was approved.

## RESOLVED -

That Application NED/22/00380/FL is deferred, so that an appropriate clarification of the information about fire safety, how the travel requirements of the HMO and possible additional parking as a result of the development be reported to and taken into account be the Committee, when considering and determining on the Application.

### **PLA/ NED/22/00507/FL - BRACKENFIELD**

**38/2**

**2-23**

The report to Committee explained that an Application, with amended drawings, had been submitted for the erection of a detached double garage with a gym above, at Moor Grange, Doehole Lane, Brackenfield.

The Application had been called in by Local Ward Councillor, W Armitage, who had raised concerns about it.

Planning Committee was recommended to refuse the Application. The report to Committee explained the reasons for this. Officers contended that the proposed garage and gym would not respect the scale, proportion and overall design character of the existing nineteenth century property. In particular, the construction would not meet the design criteria set by the relevant Local Plan and Ashover Neighbourhood Plan policies. As the construction would be clearly visible, it would harm the character of both the host building and the wider countryside and landscape and, they concluded, would not constitute an acceptable development.

Before the Committee discussed the Application it heard from J Imber, the Agent for the Application and A Eales, who spoke on behalf of the Applicant. No one had registered to speak against the Application.

Committee considered the Application. It took into account the Principle of Development and the site's location within the Enclosed Moors and Heaths Landscape type of Peak Fringe and Lower Derwent Landscape Character Area. Committee considered the relevant Planning Policies. These included Local Plan Policy LC5, requiring outbuildings ancillary to the main residential use to respect the character of the existing property and not to harm the street scene or land area. Committee also took into account Ashover Neighbourhood Plan Policy AP11, requiring proposals to respect the local character and enhance the local distinctiveness of an area and Local Plan Policy SDC12, requiring that new developments be of a high quality design.

Members discussed the Application. They reflected on the design of the proposed garage and its size and the impact it would have on the host nineteenth century stone farm house building and on the wider landscape. As part of the discussion, some Members expressed concern about the steepness of the proposed Pitch roof for the garage and gym and queried whether it would be appropriate in this setting. Other Members felt that the proposal would not have a damaging impact on either the neighbouring building or the landscape.

At the conclusion of the discussion Councillor R Hall and K Rouse moved and seconded a motion to approve officer recommendations and refuse the Application. The motion was put to the vote and was approved.

**RESOLVED -**

- (1) That the Application be refused, in line with officer recommendations.

Reasons

As a consequence of its pitch roof height of nearly 6m, out of proportion design and location separated from the host dwelling, the proposed detached garage does not respect scale, proportion or overall design and character of the host dwelling and therefore fails to meet the requirements of North East Derbyshire Local Plan policies LC5 and SDC12 and Ashover Neighbourhood Plan Design policy AP11.

The proposed building would be clearly visible from Dewey Lane to the south and south east, and due to the harm to the character of the host dwelling outlined above would have a detrimental impact on the character of the local countryside and wider landscape character in the area as such it would fail to meet the requirements of North East Derbyshire Local Plan policies SS9 and SDC3 and Ashover Neighbourhood Plan policies AP2 and AP13.

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

**39/2**

**2-23**

The report to Committee explained that two appeals had been lodged, none had been allowed and two had been dismissed.

**PLA/ Matters of Urgency**

**40/2**

**2-23**

None.