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**North East
Derbyshire**
District Council

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Date: Monday, 14 November 2022

To: **Members of the Planning Committee**

Please attend a meeting of the Planning Committee to be held on **Tuesday, 22 November 2022 at 2.00 pm in the Council Chamber**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield S42 6NG.

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

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

Yours sincerely



Assistant Director of Governance and Monitoring Officer

Members of the Committee

Councillor William Armitage
Councillor Andrew Cooper
Councillor Peter Elliott
Councillor Mark Foster
Councillor Roger Hall
Councillor David Hancock
Councillor Lee Hartshorne

Councillor Maggie Jones
Councillor Heather Liggett
Councillor Alan Powell
Councillor Jacqueline Ridgway
Councillor Kathy Rouse
Councillor Diana Ruff - Chair

Please notify the Interim Governance Manager, Alan Maher by 4.00 pm on Friday 18 November 2022 of any substitutions made for the meeting.

For further information about this meeting please contact: Alan Maher 01246 217391

AGENDA

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 the Last Meeting (Pages 4 - 17)

To approve as a correct record and the Chair to sign the Minutes of Planning Committee held on 18 October 2022.

4 NED/22/00349/FL - APPERKNOWLE (Pages 18 - 29)

Change of use of a Brownfield Site to Housing Land and construction of a five bedroom dwelling with attached garage (Amended Plans) at 37 High Street, Apperknowle

(Planning Manager – Development Management)

5 Late Representations - Summary Update Report - TO FOLLOW

(Planning Manager – Development Management)

6 Planning Appeals - Lodged and Determined (Pages 30 - 33)

(Planning Manager – Development Management)

7 Matters of Urgency (Public)

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

8 Exclusion of Public

The Chair to Move:

“That the public be excluded from the meeting during the discussion of the following item of business to avoid the disclosure to them of exempt information as defined in Paragraphs 2, 3 and 5, Part 1 of Schedule 12A to the Local Government Act 1972”. (As amended by the Local Government (Access to Information)(Variation) Order 2008).

9 **Planning Enforcement Service Progress Report** (Pages 34 - 41)
(Principal Planning Enforcement Officer – Development Management)
Paragraphs 2 and 5

10 **Section 106 (Legal) Agreements Update** (Pages 42 - 52)
(Planning Manager – Development Management)
Paragraphs 3 and 5

11 **Planning Appeal, Killamarsh - NOW PUBLISHED** (Pages 53 - 70)
(Assistant Director of Planning)
Paragraphs 3 and 5

12 **Matters of Urgency (Private)**

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

We speak your language  North East Derbyshire District Council

Polish <i>Mówimy Twoim językiem</i>	Urdu ہم آپ کی زبان بولتے ہیں
Romanian <i>Vorbim limba dumneavoastră</i>	Chinese 我们会说你的语言

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PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 18 OCTOBER 2022

Present:

Councillor Heather Liggett (Chair) (in the Chair)

Councillor William Armitage
Councillor Roger Hall
Councillor David Hancock
Councillor Tony Lacey

Councillor Andrew Cooper
Councillor Lee Hartshorne
Councillor Pat Antcliff
Councillor Stephen Pickering

Also Present:

A Kirkham	Planning Manager - Development Management
P Slater	Principal Planning Officer
A Lockett	Senior Planning Officer
S Sternberg	Assistant Director of Governance and Monitoring Officer
A Bond	Governance Officer
A Maher	Interim Governance Manager

PLA/ Election of the Chair of the Meeting

41/2

2-23 In the absence of the Chair and Vice Chair, Planning Committee agreed that Councillor H Liggett chair the meeting.

PLA/ Apologies for Absence and Substitutions

42/2

2-23 Apologies were received from Councillor D Ruff, who was substituted by Councillor P Antcliff, Councillor M Jones, who was substituted by Councillor T Lacey and Councillor K Rouse, who was substituted by Councillor S Pickering. Apologies were also received from Councillor P Elliot, Councillor A Powell and Councillor J Ridgway.

PLA/ Declarations of Interest

43/2

2-23 Councillor H Liggett declared an interest in Item 5, NED/22/00057/FL, North Wingfield, as a Member of the Rykneld Homes Limited (RHL) Operational Board. She indicated that she would remain in the meeting during the discussion of this item and participate in the Committee's determination on it.

Councillor W Armitage and Councillor S Pickering both declared an interest in Item 5, NED/22/00057/FL, North Wingfield, as tenants of Rykneld Homes Limited (RHL), although not in the area covered by the Application. Councillor W Armitage and Councillor S Pickering both indicated that they would remain in the meeting during the discussion of this item and participate in the Committee's determination on it.

PLA/ Minutes of the Last Meeting

44/2

2-23 The minutes of the meeting, held on Tuesday 20 September 2022, were

approved as a true record.

PLA/
45/2
2-23 **NED/22/00380/FL - KILLAMARSH**

Members were reminded that Committee had deferred consideration of this Application, 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, at its meeting on 20 September 2022. Committee agreed the deferral so that additional information on fire safety, the travel requirements of the HMO residents and possible additional parking as a result of the development could be obtained and taken into account in determining the Application.

In this context, the report to Committee explained that the Applicant had now submitted a Travel Plan for the site. The Plan provided information on the number of locations within walking distance, those within cycling distance and those which could be reached by public transport.

Members were also informed that the Highway Authority had clarified the status of its draft Derbyshire Street Design Guidance, setting out parking standards for Houses in Multiple Occupation. It confirmed that the Guidance was still subject to discussion and had not yet been adopted by the Highways Authority. Consequently, Planning officers did not feel that it could be taken into account when deciding on the Application.

Finally, the report explained how clarification had been sought about the proposed fire safety arrangements for the development. Members learned that the Applicant had now submitted a Fire Safety Plan for the HMO. This provided information about what specific arrangements would be put in place if the Application was approved. In this context, Committee heard that the Fire and Rescue Authority had considered the proposed Fire Safety Arrangements Plan for the site and had recommended that a Domestic Sprinkler System for the site also be installed.

Planning Committee considered the Application. It took into account the relevant Planning Issues. In particular, the Principle of Development and its location on 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 that have not been allocated within the Local Plan or a Neighbourhood Plan.

Committee also took into account other relevant planning 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 and reflected on all the information which they had now received. Some Members highlighted the scale of the development and the number of people to be accommodated in the HMO. Some Members remained concerned that the proposed facilities would not meet the accommodation needs of its residents. Continuing concern was also expressed by some Members about the proposed emergency safety measures and whether

these would be adequate.

Committee discussed the likely travel requirements of the HMO residents. Some Members expressed concern about the proposed Travel Plan. They were concerned that the frequency of bus services on the routes close to the site had been reduced significantly. They suggested that the lack of frequent public transport would make the development unsustainable for its residents. There was concern that they would find it difficult to access services, visit facilities and take up potential employment opportunities.

At the conclusion of the discussion Councillor D Hancock and Councillor W Armitage moved and seconded a motion to reject the Application.

The motion was put the vote and was approved.

RESOLVED -

That the Application be refused, contrary to officer recommendations.

Reasons

The Application is considered unacceptable as by reason of a lack of adequate bus and other public transport options being available to the future occupiers of the premises the proposed development is unsustainable and would limit opportunities to access services, facilities and potential employment opportunities contrary to policy SS1 of the North East Derbyshire Local Plan.

PLA/ NED/22/00057/FL - NORTH WINGFIELD

46/2

2-23

The report to Committee explained that an Application had been submitted for the demolition of 16 dwellings and the erection 72 new residential dwellings at Whiteleas Avenue, North Wingfield. As required under the Council's Constitution, the Application had been referred to Planning Committee for determination; as it had been submitted on behalf of Rykneld Homes Limited, the Managers of the Council's Housing Stock.

Planning Committee was recommended to approve the Application, subject to the conclusion of a Section 106 Agreement. The report to Committee explained the reasons for this.

Members were reminded that the Application was for a major development and that it would be located on a site which had previously been used for housing. Much of this former housing had been dilapidated and had now been cleared. Officers felt that the site would be an appropriate location to build additional and replacement housing. In particular, they had taken into account how the development would make a significant contribution towards increasing the amount of affordable housing in the District.

The report explained that the proposed housing would be of good design and would be in keeping with the surrounding area. It would be a sustainable development and that the proposed mix of tenures would help meet the requirement for affordable, mixed ownership and open market dwellings in the

local area. The officers had concluded that the Application should be approved, subject to specific alterations and with an appropriate Section 106 Agreement (an agreement reached between the Council and Developer to carry out social and physical infrastructure improvements to help offset the impact of a development).

Before Committee considered the Application, it heard from G Ward the Agent for the Application. No one had registered to speak against the Application.

Committee considered the Application. It took into account the Principle of Development and the location of the proposed development on an unallocated site within the defined Settlement Development Limits for North Wingfield. It considered Local Plan Policy SS7, which sets out when developments on such sites would be appropriate. It took into account Local Plan Policy LC2 on the requirement for affordable housing across the District as a whole and the benefits of this to the local area and community.

Members reflected on the need for an appropriate Section 106 Agreement to mitigate the impact of the Development and the specific requests for financial contributions as part of this agreement which had been made.

Members discussed the Application. Some Members asked for and received confirmation that there would be no flood risk on the site. Members were informed that concerns had been raised by Derbyshire County Council as Lead Local Flood Authority (LLFA) about possible flood risks on a specific part of the site. In response, two plots had now been withdrawn from the proposed development, which had removed the risk.

Members also heard how the layout of the plans had been amended slightly to reflect officer concerns on separation distances and garden sizes from some of the plots and the requirements of the Highway Authority on footpath widths. These amended plans, it was explained, were now subject to consultation. Committee was recommended to approve the Application on that basis and for the Planning Manager (Development Management) be authorised to make any necessary amendments following on from this consultation.

At the conclusion of the discussion, Councillor D Hancock and W Armitage moved and seconded a motion to approve officer recommendations, subject to the outcome of the consultation on the revised plans, with the final conditions to be determined by the Planning Manager (Development Management).

RESOLVED -

That the Application be conditionally approved in line with officer recommendations and as Section 106 agreement. The final wording and content of the conditions delegated to the Planning Manager (Development Management)

Section 106 Heads of Terms

Affordable housing provision as set out in the application (27 affordable rent and 10 shared ownership)

£72,662.20 for the provision of additional educational facilities for 4 primary

places at North Wingfield Primary and Nursery School.

£112,132.28 for the provision of additional educational facilities for 4 secondary phase (with post 16) places at Tupton Hall School.

£17,216.25 with a maintenance contribution over 10 years of £6,048.38 towards existing offsite play provision.

£32,719 towards NHS Chesterfield Royal Hospital.

Conditions

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the details shown on the following plans:-

40549 004R SITE LAYOUT
FW2220-TN-001 TECHNICAL NOTE PLOT 71 AND 72

Preliminary Bat Roost Assessment and Further Bat Surveys dated 24.08.2022

WANW-BSP-XX-D-H-002-P01 DIMENSIONS PLAN received 18.07.22
WANW-BSP-XX-XX-D-H-0001-P01 SWEPT PATH ANALYSIS received 18.07.22

Flood Risk Assessment received 30.05.2022

3664NGLS_01-03 TOPOGRAGH SURVEY
40549/017C BOUNDARY TREATMENT PLAN
40549/032 GARDEN SIZES PLAN
YORKSHIRE WATER DRAINAGE PLAN

Design and Access Statement
Transport Statement

36643NGUG-01 UTILITIES AND DRAINAGE SURVEY
40549/008C MATERIALS DISTRIBUTION PLAN

40549/009C HOUSE-TYPE 3B5P
40549/010C HOUSE-TYPE 3B5P
40549/011C HOUSE-TYPE 3B5P KF TERRACE
40549/012C HOUSE-TYPE 3B5P KF TERRACE STONE OPTION ...
40549/013A HOUSE-TYPE 2B4P KF
40549/014B HOUSE-TYPE 2B4P CRANKED STONE
40549/015B HOUSE-TYPE 2B3P BUNGALOW
40549/016B HOUSE-TYPE 2B3P BUNGALOW STONE OPTION

40549/022 HOUSE-TYPE 4B6P - NDSS
40549/023A HOUSE-TYPE 3B5P KF - NDSS
40549/024 HOUSE-TYPE 3B5P KF (STONE) - NDSS
40549/025 HOUSE-TYPE 3B5P KF TERRACE - NDSS
40549/026 HOUSE-TYPE 2B4P KF
40549/027A HOUSE-TYPE 2B3P BUNGALOW - NDSS
40549/028 HOUSE-TYPE 3B5P KF PLOTS 67, 68 - NDSS
40549/029 NO 55 BOUNDARY ALTERATIONS
40549/030 HOUSE-TYPE 2B4P CRANKED STONE DETACHED

40549/019 STREET ELEVATIONS
40549/031 SITE LOCATION PLAN

BIODIVERSITY SURVEY AND REPORT
COAL MINING RISK ASSESSMENT
LAND CONTAMINATION ASSESSMENT

Reason: For clarity and the avoidance of doubt.

Employment and Training

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.

Reason: In the interests of creating sustainable development in accordance with policy SS1 of the North East Derbyshire Local Plan

Sustainable Design, Character and Appearance

4. Before any 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

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan

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 buildings or the completion of the development, whichever is the sooner. Any plants or trees which within a period of 5 years from the completion of 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.

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan

6. Before development starts, other than preparatory works, details of the existing ground levels, proposed finished floor levels of the dwellings and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development, 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 and the levels shall be retained as such thereafter.

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan

7. Before any above ground works commence a scheme for mitigating climate change through sustainable design and construction of the dwellings shall be submitted to and approved in writing by the LPA. Thereafter the approved climate change scheme shall be implemented in full and retained as such thereafter.

Reason: In the interests of creating sustainable development in accordance with policy SS1 of the North East Derbyshire Local Plan.

8. Before any above ground works commence, precise specifications (including the manufacturer, range and colour details where applicable) 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.

Reason: In the interest of the appearance of the area and in accordance with policies SS1, LC4, and SDC12 of the North East Derbyshire Local Plan.

9. Before any above ground works commence details of a new first floor window to the southern elevation of plot 70 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.

Reason: To protect the amenity of adjacent residential occupiers and in accordance with Policy SDC12 of the North East Derbyshire Local Plan.

10. The window(s) proposed in the front elevation of the bedroom 1 of Plot 70 shall be fitted with obscure glazing prior to the dwelling hereby approved being brought into use. The obscure glazing shall be installed in order to provide of level of obscurity at least equivalent to level(s) 3 on the Pilkington Glass scale and the glazing shall be retained as such thereafter.

Reason: To protect the amenity of adjacent residential occupiers and in accordance with Policy SDC12 of the North East Derbyshire Local Plan.

Highways

11. Before any other operations are commenced, a construction method statement shall be submitted to and be approved in writing by the Local Planning Authority. The agreed plan/statement shall be adhered to throughout the construction period. The construction method statement shall provide information about the construction access, storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles during the construction period.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan

12. Throughout the period of construction, wheel washing facilities shall be provided within the site and used to prevent the deposition of mud and other extraneous materials on the public highway.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan

13. Before the commencement of any operations on site, 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 in accordance with the approved details and retained as such thereafter.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan

14. Before any other operations are commenced excluding Condition 9 above the new vehicular and pedestrian accesses shall be created in accordance with the drawing 'Proposed Site Layout 40459/004R', laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in each direction. The land in advance of the sightlines shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan

15. Prior to first occupation a Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall set out proposals (including a timetable) to promote travel by sustainable modes and shall be retained in perpetuity.

Reason: In the interests of highway safety and in accordance with policy ID3 of the North East Derbyshire Local Plan

Ecology

16. No stripping, demolition works or clearance of hedgerow, scrub or trees shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Reason: To safeguard the ecology of the site and ensure ecological interest is conserved in accordance with Policy SDC4 of the North East Derbyshire Local Plan.

17. The demolition of Buildings 65 & 67 shall not take place until either a European Protected Species licence has been obtained from Natural England or the site has been registered under a bat mitigation class licence (low impact). Upon receipt of a licence from Natural England/site registration, works shall proceed strictly in accordance with the approved mitigation, which should be based on the proposed measures outlined in the Preliminary Bat Roost Assessment and Further Bat Surveys (Peak Ecology, 24/08/2022) and amended as necessary based on any correspondence from Natural England. Such approved mitigation will be implemented in full in accordance with a timetable of works included within the licence and followed thereafter. A copy of the licence/confirmation of registration will be submitted to the LPA once granted.

Reason: To safeguard the ecology of the site and ensure ecological interest is conserved in accordance with Policy SDC4 of the North East Derbyshire Local Plan.

18. 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. Such approved measures shall be implemented in full and maintained thereafter. The plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:
- integral bird boxes at ratio of 1:1 per number of dwellings, in line with British Standard 42021:2022. A variety of boxes will be used suitable for house sparrow, starling and swift.
 - integrated bat boxes in 25% of dwellings.
 - insect bricks in 25% of dwellings.
 - gaps 130 mm x 130 mm in garden fencing to maintain connectivity for hedgehogs.
 - summary of ecologically beneficial landscaping, including native hedgerow planting to achieve no net loss of native hedgerow on site (full details to be provided in Landscape Plans).

Reason: To safeguard the ecology of the site and ensure ecological interest is conserved in accordance with Policy SDC4 of the North East Derbyshire Local Plan.

Drainage

19. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage in accordance with policy SDC11 of the North East Derbyshire Local Plan.

20. 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:
- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
 - ii) the means of discharging to the public sewer network at a rate not to exceed 3.5 litres per second.

Reason: In the interest of satisfactory and sustainable drainage in accordance with policy SDC11 of the North East Derbyshire Local Plan.

Ground Conditions

21. Before the commencement of construction works including any demolition in connection with the development hereby approved, a programme of measures to minimise the spread of airborne dust from the site during construction and demolition periods shall be submitted to and approved in writing by the Local Planning Authority. The construction shall be undertaken in accordance with the approved scheme.

Reason – To protect local air quality and in the interests of the amenity of surrounding dwelling sand in accordance with Policy SDC13 of the North East Derbyshire Local Plan

22. Before the commencement of the development hereby approved: The site investigation strategy as identified in the Desk Study report Ref EAL.172.21 submitted with the application shall be undertaken by a competent person in accordance with the current UK requirements for sampling and analysis.

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 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.

REASON: To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water.

23. No dwellings hereby approved shall be occupied until:

a. The approved remediation works required by 1 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, 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 the Phase I contaminated land assessment (desk-study submitted with the application and through the process described in 20 above.

c) Upon completion of the remediation works required by 1 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.

REASON: To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water

Amenity

24. Construction 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 1pm on Saturday. There shall be no work undertaken on site or deliveries to the site undertaken on Sundays or public holidays.

Reason: To protect the amenity of nearby property occupiers and users in accordance with policy SDC12 of the North East Derbyshire Local Plan.

47/2
2-23

The report to Committee explained that an Application had been submitted for the construction of a single storey side extension and a single storey rear extension, to an Outbuilding at 1 Sloade Lane, Ridgeway. The location for the Application was in a Conservation Area and it involved an Amended Plan.

The Application had been submitted by the partner of a North East Derbyshire District Councillor. As required by the Council's Constitution it had been referred to Planning Committee for determination.

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

Officers made clear that existing, poorly designed buildings, would be removed if the Application was approved, which would benefit the site as a whole. In their place, the new extensions would help ensure the productive use and long term maintenance of the distinctive and historic main building. Finally, the changes would also allow the building to meet the needs of the occupier, who had only limited mobility, and their carer.

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

Committee considered the Application. It took into account the Principle of Development and the location of the site outside of any established Settlement Development Limits in an area designated as part of the Green Belt and within the Moss Valley Conservation Area. Committee considered the relevant Local Plan Policies requiring that developments within the Green Belt should not be detrimental to the visual amenities of the Green Belt or conspicuous by virtue of their siting, design or materials of construction.

Committee took into account the relevant Local Plan Policies. These included Local Plan Policy LC5, requiring that new extensions be in keeping with the property and street scene and create good design which was well-related to its site and surroundings in terms of their style. It also considered Local Plan Policy SDC12, requiring that new development protect the amenity of existing occupiers and creates a good quality of amenity for future occupiers.

Members discussed the Application. They reflected on how the extensions would help meet the needs of the occupant with only limited mobility. They considered the impact on the main building of the Application and how the removal of the existing poorly designed outbuildings would help improve its setting. Members also reflected on what impact the proposed development might have in terms of ensuring the long term use and maintenance of the main building.

At the conclusion of the discussion Councillor D Hancock and W Armitage moved and seconded a motion to approve the Application. The motion was put to the vote and was agreed.

RESOLVED –

- (1) That the Application be conditionally approved in accordance with officer recommendations;

- (2) That the final wording and content of the conditions delegated to the Planning Manager (Development Management)

Conditions

- 1 The development hereby permitted shall be started within three years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the amended plans referenced

Site location	Plan	PL01C	Dated	22/07/2022
Proposed Elevations		PL05A	Dated	23/07/2022
Proposed Floor Plans		PL04B	Dated	25/07/2022

unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.

- 3 The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as St Cross and shall not be severed from the main house as a separate dwelling.
- 4 Before development starts, precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall be made available on site for inspection, and subsequent written approval, by the Local Planning Authority . The development shall then be carried out in accordance with the approved details.
- 5 Before works start on the extensions the pig pen and prefabricated garage to the rear of the building shall be demolished.
- 6 Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no curtilage buildings (Part 1 Class E) shall be erected without first obtaining planning permission.
- 7 All the existing slate shall be set aside for re-use. Any shortfall shall be made up of natural slates to exactly match the existing in shape, size, colour and texture. All fixings shall be corrosion resistant. Before re-roofing starts, samples of any additional slates and fixings required shall be made available for inspection on site, and subsequent written approval, by the Local Planning Authority. The approved slates and fixings shall then be used to roof the approved building/structure. The roof shall be retained as such thereafter.
- 8 Before any above ground works commence, details of the proposed Conservation rooflights shall be submitted to and approved in writing by

the Local Planning Authority. The rooflights shall then be installed as approved and retained as such thereafter.

PLA/ **Matters of Urgency**
48/2
2-23 None.

PLANNING COMMITTEE – 22nd November 2022

•
REFERENCE NUMBER: 22/00349/FL Application Expiry Date: 25.11.2022
(Extension of Time)

Application Type: Full Planning Permission

Proposal Description: Change of Use of Brownfield Site to Housing Land and
Construction of 5-Bedroom dwelling with attached garage
(Amended Plans)

At: 37 High Street, Apperknowle

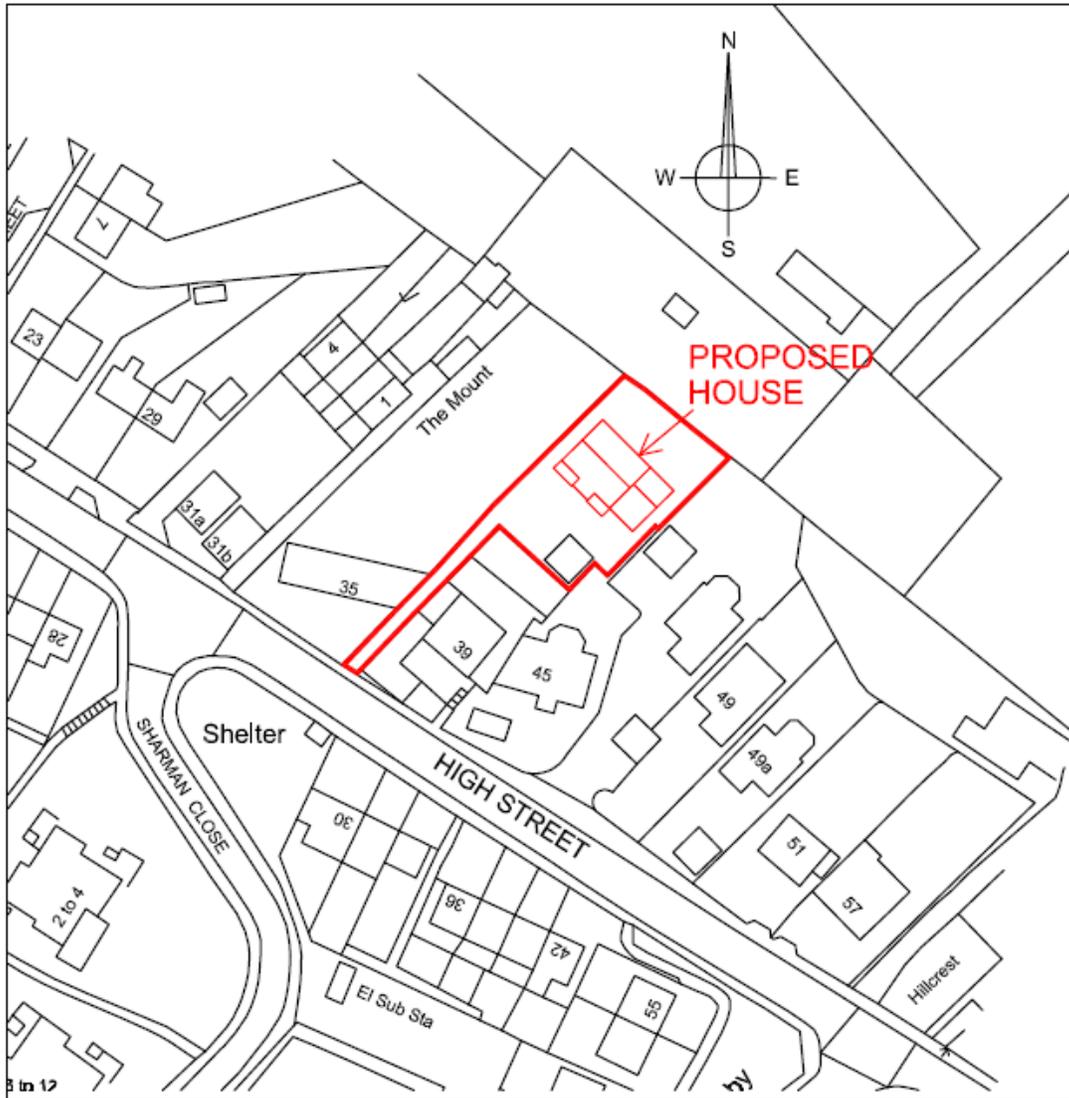
For: Mr and Mrs John and Rachel Wilcock

Third Party 7 Parish: Unstone

Reps: Ward Name: Unstone

Author of Colin Wilson Date of 08.11.2022
Report: Report:

MAIN RECOMMENDATION: Approve Planning Permission



LOCATION PLAN 1:1250 scale

Rev.'A' Aug.2022 reduced size dwelling shown.

1.0 Reason for Report

- 1.1 The application has been called in to Planning Committee by the Local Ward Member. The reason for the request for a Committee determination of the application are to allow a full assessment of the impact of the scheme in neighbouring amenity and visual terms, and to allow for full transparency in light of the site comprising a parcel of land which is in the ownership of NEDDC.

- 1.2 In view of the site being within the ownership of the Council and the comments submitted, it is considered appropriate for Planning Committee to determine the application.

2.0 Proposal and Background

Site Description

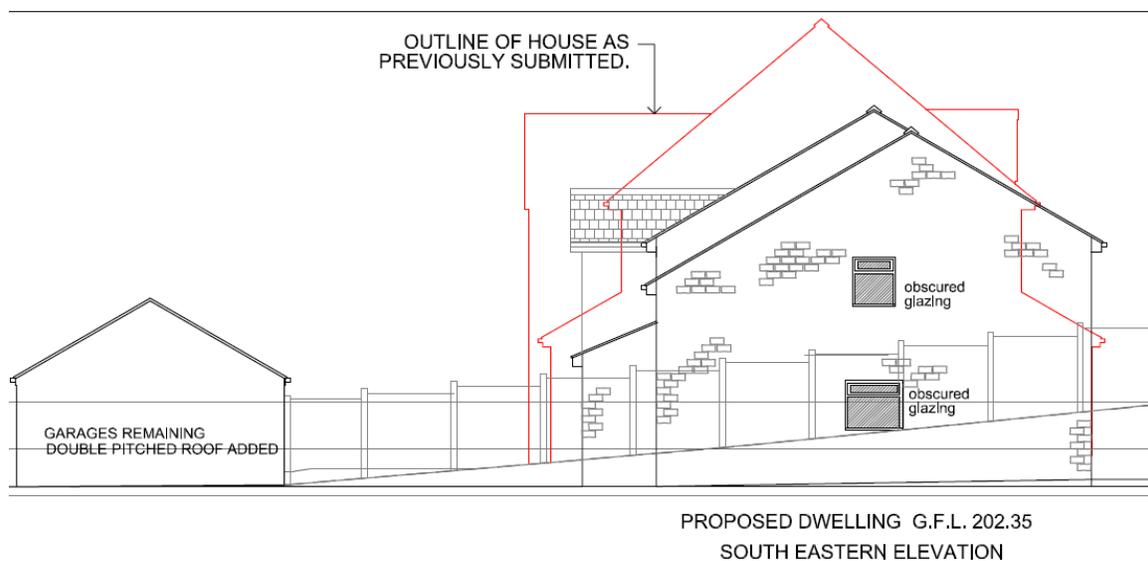
- 2.1 The application site comprises a garage site situated within the defined Settlement Development Limits for Apperknowle.
- 2.2 The site is situated to the north of High Street and is generally set back approximately 30m from the highway edge. The site is accessed via an existing vehicular access, which is situated between adjacent residential properties identified as 35 and 39 High Street. The site shares common boundaries with four residential properties, including numbers 35 and 39. The additional properties adjoining the application site are 45 and 47 High Street, which are situated to the south and east of the site respectively. The site is adjoined to the north by land comprising countryside designated as North East Derbyshire Green Belt.
- 2.3 In terms of topography, the land levels across the application site generally rise in a northerly direction from the highway. Consequently, the application site is situated at an elevated level to adjacent properties to the south, which front High Street (namely 35, 39, and 45 High Street).
- 2.4 The application site is situated within a Development High Risk Area for coal mining legacy issues.

Proposals

- 2.5 Full planning permission is sought for the change of use of the site and its redevelopment for housing and the construction of a 5-bedroom dwelling with attached garage.
- 2.6 The application seeks permission for the construction of a detached dwelling, situated roughly in the centre of the plot. The dwelling's principal elevation would be south-west facing.
- 2.7 2 Sycamore trees at the western edge of the application site would be felled to facilitate the proposed development of the site with a single dwelling.
- 2.8 The proposals have been amended during the processing of the application. The main revisions to the proposed development comprise a reduction in the scale and height of the proposed dwelling, resulting in a 2

storey dwelling (as opposed to the 3-storey property initially proposed). In addition, the fenestration relating to the side facing gable elevations has been reduced in terms of the number of openings, and new openings are shown on the submitted elevational drawings as being obscurely glazed. A further amendment comprises the introduction of a pitched roof on the garage which the application seeks to retain.

- 2.9 The image below details the reduction in the height and mass of the proposed dwelling (with the dwelling initially proposed outlined in red). In addition, the image shows the garage building which is to be retained. The garage comprises a flat roofed structure – the proposals as amended seek to introduce a pitched roof to the existing garage building:



- 2.10 For clarity and the avoidance of doubt, the application has been assessed on the basis of the Location and Site Plan, drawings numbered 2693/19 B (Amended Floor Plans) and 2693/21 B (Amended Elevations) uploaded to the Council's website on 15.08.2022, and drawings numbered 2693/20 Rev C (Site Plan and Section as Proposed), 2693/22 Rev B (Proposed Elevations), 2693/23 Rev B (Cross Sectional Gable Elevation), which were uploaded to the Council's website on 24.08.2022.

- 2.11 In addition to the amendments described above, the applicant has also provided a Coal Mining Risk Assessment to be read in conjunction with the application.

3.0 Relevant Planning History

- 3.1 There is no relevant planning history for the application site.

4.0 Consultation Responses

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

The **Ward Member** has raised comments and requested that the application be determined by Planning Committee to allow for a full consideration of issues raised by neighbouring residents (and in turn the responses of the applicants themselves), in relation to the following:

- The overall scale and size of the development and its relationship with surrounding properties.
- The Impact of potential overlooking and overshadowing.
- The separation distances between the proposed property and neighbouring properties, in particular number 45 High Street, and whether the distances are compliant with Successful Places.
- The necessity for transparency, on the basis that the site is owned by NEDDC.

The **Parish Council** raised no comments.

4.2 **Derbyshire County Council Highways Section** were consulted on the application and made comments raising no objections to the proposed development from a highway safety perspective, subject to clarification regarding the garage size and bin storage areas.

4.3 **The Coal Authority** were consulted on the application, initially raising objections to the proposed development. The applicant subsequently instructed and submitted a Coal Mining Risk Assessment (CMRA) of the site. Accordingly, on the basis of the findings of the CMRA, the Coal Authority withdrew its objections to the proposed development.

4.4 **Yorkshire Water Services** were consulted and raised no comments.

5.0 Representations

5.1 The application was publicised by neighbour letters and the display of a site notice – 7 representations were received and can be summarised as follows:

- The proposed development would be of an unacceptably large scale.
- The proposed dwelling is significantly larger than average adjacent properties and will dominate the landscape for adjacent properties in terms of outlook and village conformity.

- As a consequence of its scale, the proposed dwelling would appear dominant and overbearing resulting in a loss of privacy and natural light for the occupiers of adjoining properties.
- The proposed dwelling would result in adverse overlooking of adjacent sites.
- Highway safety issues.
- Objection to felling of trees within the application site.
- Discrepancies regarding the site location plans and house numbers in the vicinity of the site.
- Disruption and damage to properties arising during the construction phase.

Officer Note: the representations received have been summarised for the purposes of this report and can be viewed in full via the Council's website.

6.0 Relevant Policy and Strategic Context

North East Derbyshire District Local Plan

- 6.1 The North East Derbyshire Local Plan (2014 - 2034) forms the Development Plan for the area. The Local Plan policies most relevant to the proposals are set out below:

SS1 Sustainable Development
 SS2 Spatial Strategy and the Distribution of Development
 SS7 Development on Unallocated Land within Settlement with defined Settlement Development Limits
 SDC2 Trees, Woodlands and Hedgerows
 SDC11 Flood Risk and Drainage
 SDC12 High Quality Design and Place Making
 SDC14 Land potentially affected by Contamination or Instability
 ID3 Sustainable Travel

National Planning Policy Framework

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

Successful Places

- 6.3 The Council's Interim Design Guide, *Successful Places* is applicable in the assessment of this application.

7.0 Planning Issues

Principle of Development

- 7.1 The application site is located within the defined Settlement Development Limits for Apperknowle. Policy SS7 of the North East Derbyshire Local Plan relates to development on unallocated land within settlements with defined Settlement Development Limits and is therefore applicable in the assessment of this application. The Policy states that all development proposals on sites within Settlement Development Limits that are not allocated in the Local Plan or in a Neighbourhood Plan, will be permitted, provided that the proposed development: a. Is appropriate in scale, design and location to the character and function of the settlement; and b. Does not result in the loss of a valued facility or service unless it can be demonstrated that it is no longer viable, or is not the subject of a Community Right to Bid; and c. Is compatible with, and does not prejudice any intended use of adjacent sites and land uses; and d. Accords with other policies of the Plan.
- 7.2 Based on the above Policy consideration, Officers are satisfied that the general principle of a residential development of the site is acceptable, subject to the proposals being in accord with the relevant parts of Policy SS7, other applicable Local Plan Policies, and other relevant technical planning matters being considered acceptable:

Visual Considerations

- 7.3 It is the view of Officers that, as amended, the proposed dwelling would comprise a typically proportioned two-storey dwelling, consistent with the scale and proportions of other properties in the vicinity of the site. Officers are of the view that the proposed dwelling would, by virtue of its scale, design style and materials of construction, represent an acceptable visual addition to the site. The proposed property would be individually designed – the impact of this is considered to be acceptable as a consequence of the existing mix of property types/designs in the vicinity of the application site. In this regard, there is limited uniformity in terms of property design in the vicinity of the application site.

Neighbouring Amenity

- 7.4 The applicant has made significant amendments to the development proposals to address the concerns of Officers in terms of the impact of the scheme in visual and neighbouring amenity terms:
- 7.5 The revised scheme is significantly lower in terms of its overall height than that originally proposed. From ground level, the initially proposed ridge height measured approximately 9m whereas the revised ridge height would measure approximately 7m from ground level. In addition, it is proposed that the dwelling would be dug into the hillside on which it would

- be sited. 10m and 25m respectively separate the proposed dwelling's principal elevation from the common boundary and rear elevations of the adjacent property fronting High Street (namely, 39 High Street). The 25m separation distance accords with the guidance set out in *Successful Places* whereas the 10m to the common boundary is short of the 10.5m normally required. However, the depth of the rear garden of No. 39 (at in excess of 11 metres) is considered sufficient to mitigate the impact of the small shortfall in the distance from the application property to the common boundary.
- 7.6 The separation distance between the south-west facing first floor window serving the room identified on the submitted drawings as 'bedroom 4' and the common boundary of 45 High Street would be marginally less than the recommended 10m set out in *Successful Places*. However, the views from the first floor window, serving bedroom 4, would be at an angle to the private garden and rear elevation of number 45, therefore providing some mitigation. However, in this instance, given a change in levels across the respective sites, Officers consider it is necessary to impose a planning condition requiring that the window serving bedroom number 4 be obscurely glazed and non-opening, to a level 1.7m above the finished floor levels of the room in question. Officers consider that such a condition would satisfactorily preserve the privacy currently enjoyed by the occupiers of number 45.
- 7.7 In addition, whilst the property would retain some openings on its side facing gable elevations, these would be fitted with obscure glazing to overcome any unduly harmful overlooking of sites to the east and west of the application site.
- 7.8 The outlook from first floor openings at the north facing elevation of the property would be across the application property's rear garden and towards the countryside beyond. In this respect, there would be no unacceptable overlooking to the north of the proposed property.
- 7.9 Given its siting and scale, Officers are satisfied that the proposed dwelling would not result in any significant and overriding overshadowing/loss of outlook or amenity for adjacent properties. Cross sections have been submitted by the applicant, which confirm that the proposed dwelling would comply with the 25 degree rule set out in *Successful Places* which provides a basis for assessing the impact of any change in levels between sites. In addition, by virtue of its scale and position (to the north of the properties fronting High Street), the proposed development is not considered to result in any unacceptable loss of light to the private garden areas or north facing rear facing habitable room windows at the adjacent properties which front High Street.

Highway Safety

- 7.10 Paragraph 111 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.
- 7.11 Derbyshire County Council Highways Officers were consulted on the application, raising no objections to the proposed development from a highway safety viewpoint, subject to conditions.
- 7.12 Guided by the consultation comments received from DCC and based on the existing traffic generating use of the site (garage site), Officers are satisfied that the proposed development would not lead to any unacceptable impact on highway safety in the locality.

Coal Mining Legacy

- 7.13 The Coal Authority were consulted on the application, initially raising objections to the proposed development on the basis that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment is required to be submitted to support of this application. The applicant subsequently submitted a Coal Mining Risk Assessment. Upon receipt of a Coal Mining Risk Assessment Report, the Coal Authority withdrew its initial objection to the development.

Removal of Trees

- 7.14 The proposals include the removal of two mature Sycamore Trees from the western boundary of the site. As such, Policy SDC2 of the North East Derbyshire Local Plan is relevant as it relates to Trees, Woodlands and Hedgerows. The Policy states that where trees, woodland or hedgerows will be lost to development and this is considered to be acceptable, suitable replacement planting on-site where it is practicable to do so, or off-site if not, will be required.
- 7.15 The Council's Principal Arboricultural Officer (AO) has visited the site to assess the trees earmarked for removal, advising that the two trees that are identified for removal do not contribute sufficiently to the amenity of the location to sustain an objection to the proposed development, or preclude their removal.
- 7.16 Guided by the comments of the AO, Officers are of the view that the trees in question are not afforded protection and would not merit protection by way of a Tree Preservation Order (TPO). Consequently, their removal to facilitate the development of the site is considered to be acceptable.

- 7.17 Whilst Policy SDC2 of the Local Plan requires replacement trees where practicably possible, Officers are of the view that, in this instance, given the constraints of the site, it would not be realistic to require a scheme of replacement trees within the application site. In terms of the provision of off-site replacement trees, it is not considered to be reasonable or necessary to require such replacements in this instance, although a condition requiring the landscaping of the site is recommended which would ensure some replacement tree/shrub planting on the site.

Conclusion

- 7.18 On the basis of the above considerations, Officers are of the view that the proposals represent an acceptable form of development. Officers consider that, in accordance with Policy SS7 of the North East Derbyshire Local Plan, the proposed development is appropriate in scale, design and location to the character and function of the settlement, and, subject to conditions of approval, would not lead to any unacceptable harm to the amenity levels currently enjoyed by the occupiers of adjacent properties. In this regard, the proposals would be compatible with adjacent sites.
- 7.19 Officers are of the view that there are no technical reasons by which the application could be refused.
- 7.20 Accordingly, the application is recommended for approval.

8.0 Recommendation

- 8.1 GRANT Full Planning Permission subject to the following conditions with the final wording and content of the conditions delegated to the Planning Manager (Development Management):
- 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 Location and Site Plan and drawings numbered 2693/19 B (Amended Floor Plans) and 2693/21 B (Amended Elevations) uploaded to the Council's website on 15.08.2022, and drawings numbered 2693/20 Rev C (Site Plan and Section as Proposed), 2693/22 Rev B (Proposed Elevations), 2693/23 Rev B (Cross Sectional Gable Elevation), which were uploaded to the Council's website on 24.08.2022, 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.

- 3 Before any above ground works start, a plan to show the positions, design, materials, height and type of boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed in full before the first occupation of the dwelling hereby approved and shall be retained as approved thereafter.
- 4 The development shall be carried out in accordance with the proposed finished floor levels of the dwelling and the proposed finished ground levels of the site set out on the approved elevational and cross section drawings listed in condition 2 above.
- 5 Before any 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.
- 6 Before the first occupation the dwelling hereby approved, the window at the principal (south-west facing) elevation of the property, which serves the room identified as 'bedroom 4' on the approved floor plans, shall be fitted with obscure glazing. The obscure glazing shall be of an obscurity equivalent to at least Level 3 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 and glazing once installed shall then be retained as such thereafter at all times.
- 7 Notwithstanding the submitted details, the first floor windows on the north-west and south-east facing side elevations of the dwelling hereby approved shall be fitted with obscure glazing. The obscure glazing shall be of an obscurity equivalent to at least Level 3 of the Pilkington obscure glazing range. The windows 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.
- 8 Before development starts, 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
- 9 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.

Highways

- 10 Before any other operations are commenced, a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The agreed plan/statement shall be adhered to throughout the construction period. The construction method statement shall provide information about plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles during the construction period.

Drainage

- 11 Before development starts, a scheme for the provision of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is brought into use, and shall be retained as such thereafter.
- 12 Before development starts, a scheme for the provision of foul drainage works shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is brought into use and shall be retained as such thereafter.

North East Derbyshire District Council

Planning Committee

22 November 2022

Planning Appeals Lodged and Determined

Report 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:-

Mr Vincent - Demolition of two agricultural buildings and erection of a single dwelling (Private Drainage System) at Pecklant Farm, Matlock Road Ashover (22/00252/FL)

Planning Officer – (Aspbury Planning) susan.wraith@ne-derbyshire.gov.uk

Mr Neil Bestwick - Residential Development of four dwellings including the demolition of existing barn and ancillary farm buildings (private drainage system/ Affecting a public right of way) at Park House Farm, Pilsley Road, Lower Pilsley (21/01242/FL)

Planning Officer – (Aspbury Planning) susan.wraith@ne-derbyshire.gov.uk

1.2 Enforcement Appeals Lodged

No Enforcement Appeals have been lodged.

1.3 Appeals Allowed

The following appeals have been allowed:-

W Redmile & Sons Ltd - Proposed development of 50 dwellings associated roads, sewers, gardens, parking and garages (Major Development) (Departure from the Development Plan) (Amended Plans) at Land Between Old Canal And North Side Of Primrose Lane, Killamarsh (20/00919/FL)

Means of Determination – Committee

Planning Officer's Recommendation – Conditionally Approve

Planning Officer – Philip Slater philip.slater@ne-derbyshire.gov.uk

W Redmile & Sons Ltd - Proposed development of 50 dwellings with associated roads, sewers, gardens, parking and garages (Major Development) (Departure from the Development Plan) (Re-submission of 20/00919/FL) (Amended Plans) at Land Between Old Canal And North Side Of Primrose Lane, Killamarsh (21/00976/FL)

Means of Determination – Committee

Planning Officer's Recommendation – Conditionally Approve

Planning Officer – Philip Slater philip.slater@ne-derbyshire.gov.uk

1.4 **Appeals Dismissed**

The following appeals have been dismissed:-

Louis Gay – Application for proposed new dwelling at Hillcrest including formation of boundary between existing and proposed dwelling, improvements to existing site access and creation of new site access at Hillcrest, Hockley Lane, Milltown, Ashover (21/00297/FL)

Means of Determination – Delegated

Planning Officer's Recommendation – Refused

Planning Officer – Emily Cartwright emily.cartwright@ne-derbyshire.gov.uk

Mr A Rowland - New site access to field and laying of access track with tarmac and road planings at Land North Of Main Road, Troway (22/00003/FL)

Means of Determination – Delegated

Planning Officer's Recommendation – Refused

Planning Officer – Colin Wilson colin.wilson@ne-derbyshire.gov.uk

1.5 **Appeals Withdrawn**

The following appeal has been withdrawn:-

Mr S Jackson – Proposed residential development for 14 x 4 Bed dwellings with garaging (Major Development) at Land North West Of Mile Hill House, Mansfield Road, Mile Hill, Hasland (21/00244/FL)

Planning Officer – Graeme Cooper graeme.cooper@ne-derbyshire.gov.uk

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

<p>Is the decision a Key Decision? 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:</p> <p><i>NEDDC: Revenue - £100,000 <input type="checkbox"/></i> <i>Capital - £250,000 <input type="checkbox"/></i> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Affected</p>	All
<p>Links to Corporate Plan priorities or Policy Framework</p>	All

8 Document Information

Appendix No	Title
<p>Background Papers (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 you must provide copies of the background papers)</p>	
Report Author	Contact Number
Katie Spelman	01246 217172

Agenda Item 9

By virtue of paragraph(s) 2, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

Agenda Item 10

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Document is Restricted

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

Agenda Item 11

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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