

PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 17 MARCH 2026

Present:

Councillor Lee Hartshorne (Chair) (in the Chair)
Councillor Tony Lacey (Vice-Chair)

Councillor Neil Baker	Councillor David Cheetham
Councillor Andrew Cooper	Councillor Christine Gare
Councillor Kevin Gillott	Councillor William Jones
Councillor Heather Liggett	Councillor Kathy Rouse
Councillor Richard Welton	

Also Present:

A Kirkham	Planning Manager - Development Management
A Smith	Legal Services Manager and Deputy Monitoring Officer
A Lockett	Senior Planning Officer
P Slater	Principal Planning Officer
C Rouse	Planning Officer
T Fuller	Senior Governance Officer
M E Derbyshire	Members ICT & Training Officer

PLA/ Apologies for Absence and Substitutions

52/2

5-26 Apologies for absence had been received from Councillors F Petersen and P Elliott.

Councillor K Gillott attended as a substitute for Councillor F Petersen, and Councillor R Welton attended as a substitute for Councillor P Elliott

PLA/ Declarations of Interest

53/2

5-26 Regarding item **NED/25/00488/FL - KILLAMARSH EAST**, as the application was within Killamarsh East Ward, which Councillor T Lacey represented, Councillor Lacey would leave the room and would not participate in the Committee's consideration or determination of the application.

Regarding item **NED/25/01014/FL - GRASSMOOR**, as the application was within Grassmoor Ward, which Councillor L Hartshorne represented, Councillor Hartshorne would speak as Ward Councillor then leave the room and would not participate in the Committee's consideration or determination of the application.

Regarding item **NED/25/00866/FLH - PILSLEY & MORTON**, as the application was within Pilsley and Morton Ward, which Councillors A Cooper and K Gillott represented, Councillors Cooper and Gillott would leave the room and would not participate in the Committee's consideration or determination of the application.

PLA/ Declaration of Predetermination

54/2

5-26 There were no declarations of predetermination.

PLA/ Minutes of Last Meeting

55/2

5-26 **RESOLVED** – That the Minutes of the meeting held on 9 December 2025 were approved as a true record.

*Having declared an interest in the next item Councillor T Lacey left the meeting.
Councillor Lacey did not participate in the consideration or determination of the application.*

PLA/ NED/25/00488/FL - KILLAMARSH EAST

56/2

5-26

The Committee considered an application to Discharge a Planning Obligation under Section 106A of the Town and Country Planning Act, relating to the financial contributions towards affordable housing contributions, off-site public open space contributions, and off-site public open space maintenance contributions at S And A Parsons Building Contractors Ltd, Mansfield Road, Killamarsh S21 2BW. The application had been referred to Committee by Planning Committee Chair, Councillor L Hartshorne, due to the need to assess whether the revised contributions would mitigate the impact of the development.

The recommendation by officers was to approve the application. The report to Committee explained the reasons for this.

The report highlighted that on balance, the evidence submitted, along with the independent validation provided, demonstrated that the construction costs presented were reasonable, consistently evidenced, and broadly reflective of the development as built. Although minor discrepancies had been identified, none materially undermined the overall cost position. The report also highlighted that verified cost evidence demonstrated that the scheme would operate at a loss even before any S106 contributions were applied, meaning the obligations would no longer serve a useful planning purpose.

Officers concluded that the scheme cannot viably support any S106 payments and that the submission's request should be allowed. They recommended, therefore, that the application be approved.

Before the Committee considered the application it heard from objectors, Mark Vivian and Maureen Sanderson, and the Agent, Nathan James Green.

Committee considered the application. It took into account the relevant Local and National Planning Policies. This included Local Plan Policy ID1, concerning infrastructure delivery and developer contributions.

Committee discussed the application. Some Members expressed concern that the Council would be walking away from a large amount of money should the application be approved. Some Members expressed concerns over the independence of the Applicant's viability assessment and therefore suggested that the figures being considered should not be wholly trusted.

Officers highlighted that if Councillors still had concerns over the numbers they

were being presented with, the next step would be to seek the advice of a forensic accountant, in which case a deferral would be needed. It was suggested that in order to make a properly informed decision, it would be sensible to defer the application for a forensic accountant to verify the numbers. It was also suggested that during the deferral, it should be explored as to whether the developer could commit to paying some, but not all of the Section 106 money.

At the conclusion of the discussion Councillor K Gillott and Councillor N Baker moved and seconded a Motion to defer the application, in order for a forensic accountant to investigate and to explore the possibility of some of the Section 106 money being paid. The Motion was put to a vote and approved.

RESOLVED – That the application be deferred in order for a forensic accountant to investigate and to explore the possibility of some of the Section 106 money being paid.

Councillor D Cheetham joined the meeting.

Councillor T Lacey returned to the meeting.

Having declared an interest in the next item, Councillors A Cooper and K Gillott left the meeting. They did not participate in the consideration or determination of the application.

PLA/ NED/25/01014/FL - GRASSMOOR

57/2

5-26

With the agreement of the Chair Item 7, NED/25/00866/FLH – PILSLEY & MORTON, was taken next.

The Committee considered an application that had been submitted for a two-storey side and single storey rear extension at 12 Bacchus Way, Morton, Alfreton, DE55 6HR. The application had been referred to Committee as the Applicant was the relative of Councillor Cupit, meaning under the Council's constitution, the application needed to be considered by Planning Committee.

The recommendation by officers was to approve the application. The report to Committee explained the reasons for this.

The report highlighted that the design and appearance were appropriate and would not result in any harmful impact on the character or street scene. The proposal would also not give rise to any unacceptable effects on the privacy and amenity of neighbouring occupants.

Officers concluded that the development accorded with the relevant policies of the Development Plan. They recommended, therefore, that the application be approved subject to conditions.

Committee considered the application. It took into account the relevant Local and National Planning Policies.

Councillor T Lacey and Councillor L Hartshorne moved and seconded a Motion to approve the application, in line with officer recommendation, subject to conditions.

The Motion was put to a vote and approved.

RESOLVED – That planning permission be **conditionally approved** subject to the conditions and informatives set out in the report with the final wording of the conditions delegated to the Planning Manager (Development Manager).

Councillors A Cooper and K Gillott returned to the meeting.

Having declared an interest in the next item Councillor L Hartshorne stated that he would speak during the public participation section and would then leave the meeting and would not participate in the consideration or determination of the application.

Councillor T Lacey in the Chair.

PLA/ NED/25/00866/FLH - PILSLEY & MORTON

58/2

5-26

The Committee considered an application that had been submitted for the conversion of house (Use Class C3) into children's home (Use Class C2) at 2 Durham Avenue, Grassmoor, Chesterfield, S42 5DL. The application had been referred to Committee by Local Ward Member, Councillor M Durrant, who had raised some concerns. An update report had been circulated which set out late representations regarding the application.

The recommendation by officers was to approve the application. The report to Committee explained the reasons for this.

The report highlighted that local and national planning policy aims to provide adequate specialist care homes for children and that the dwelling would be well suited to the use, due to its proximity to local services including parks, schools and medical services. The report also contended that the scheme included adequate parking and would not harm the character of the area or the amenity of adjoining residents.

Officers concluded that the proposal met the requirements of policies of the Development Plan. They recommended, therefore, that the application be approved subject to conditions.

Before the Committee considered the application it heard from local Ward Member, Councillor Lee Hartshorne, and objector, Rob Whitehead. Committee also heard from Gabriela Smith who spoke on behalf of the applicant.

Councillor L Hartshorne left the meeting.

Committee considered the application. It took into account the relevant Local and National Planning Policies. This included Local Plan Policy LC4, concerning type and mix of housing, and National Planning Policy Framework (NPPF) paragraph 63, concerning housing needed for different groups in the community.

Committee discussed the application. Some Members highlighted that, whilst there was potential for some disruption to the community to be caused, there was a need to meet the considerable demand for care homes for children. It was also

highlighted that there were few material considerations against the application and any disruption caused would be no greater than a young family or foster family moving into the house. It was suggested that further conditions should be added to secure the amenity of neighbouring properties, these included a condition that would ensure the property returned to Use Class C3 if it stopped being used as a care home for children, a condition that removed the Permitted Development rights for the property whilst it was in Use Class C2 and a condition that ensured construction work on any renovations to the property would only take place within certain hours. Committee agreed that the proposed conditions were sensible.

At the conclusion of the discussion Councillor K Gillott and Councillor A Cooper moved and seconded a Motion to approve the application, in line with officer recommendation, subject to conditions set out in the report, along with the additional conditions proposed by Planning Committee Members. The Motion was put to a vote and approved

RESOLVED – That planning permission be **conditionally approved** subject to the conditions and informatives set out in the report, along with additional conditions agreed by Planning Committee Members, with the final wording of the conditions delegated to the Planning Manager (Development Manager).

Councillor L Hartshorne returned to the meeting.

Councillor L Hartshorne in the Chair.

PLA/ Planning Appeals - Lodged and Determined

59/2

5-26

The Committee considered a report which set out planning appeals that had been lodged and determined. The report set out that five appeals had been lodged, three appeals had been allowed, one appeal had been part allowed, three appeals had been dismissed, and no appeals had been withdrawn. The relevant applications the appeals were in respect of was set out in the report.

PLA/ Matters of Urgency

60/2

5-26

None.