

PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 20 APRIL 2021

Present:

Councillor Diana Ruff (Chair) (in the Chair)
Councillor Jayne Barry (Vice-Chair)

Councillor William Armitage	Councillor Andrew Cooper
Councillor Peter Elliott	Councillor Mark Foster
Councillor Maureen Potts	Councillor Alan Powell
Councillor Jacqueline Ridgway	Councillor Kathy Rouse
Councillor Ross Shipman	Councillor Heather Liggett

Councillor Steve Clough – in attendance for the Killamarsh application
Councillor Suzy Cornwell – in attendance for the Holmewood application

Also Present:

A Kirkham	Planning Manager - Development Management
N Calver	Governance Manager
J Fieldsend	Legal Team Manager (non contentious)
P Slater	Principal Planning Officer
A Maher	Senior Governance Officer
M E Derbyshire	Members ICT & Training Officer

PLA/ Apologies for Absence and Substitutions

90/2

0-21 Councillor C Huckerby submitted her apologies. She was substituted by Councillor H Liggett.

PLA/ Declarations of Interest

91/2

0-21 There were no Declarations of Interest.

PLA/ Minutes of Last Meeting

92/2

0-21 The minutes of the meeting held on 16 March 2021 were approved as a true record.

PLA/ NED/20/00919/FL - Killamarsh

93/2

0-21 The report to Committee explained that an Application had been submitted for the development of 50 dwellings, along with associated roads, sewers, gardens, parking and garages, at land between the old canal and the north side of Primrose Lane, Killamarsh. This would be a major development and a departure from the Development Plan.

The Application had been referred to the Committee by the Ward Member, Councillor S Clough, who had raised concerns about it.

Committee was recommended to grant permission for the application, subject to completion of the necessary 'Section 106' Agreement, or an agreement, reached between the Council as Planning Authority and the developer to carry out specific work to help offset the impact of the development on local people, as well specific conditions set out in the report.

The report to Committee explained why Members were recommended to approve the Development. Members heard that the proposed development offered, on the whole, a design that would be in keeping with the character and appearance of the surrounding area. The report contended that the development would not have a detrimental impact on neighbouring residents or on highway safety within the area. It also highlighted the potential social benefits, through the delivery of 20% affordable housing.

Before Members discussed the application, those registered to speak were asked to address the Committee. Councillor S Clough spoke in opposition to the application. Three other people also spoke against the application. These were E Cookson, C Nundy and J Bennett. The Agent for the application, M Edgar (DLP Consultants), spoke in support of it.

Committee considered the application. It took into account the relevant Planning Issues. These included the Principle of Development, the policies in the Council's Adopted and Draft Local Plans, whether the Development would have economic and social benefits, the environmental impact, the potential impact on neighbours and also the implications for road safety.

Members discussed the application. As part of this they reflected on the number of dwellings proposed for the site and how this differed from the figure identified in the Draft Local Plan. In this context, Committee was reminded that although the site had been identified as suitable for approximately 30 new homes, this figure was not intended to be a maximum. Members were informed that the Committee could approve a higher number of dwellings on the site, if it thought that this would be appropriate.

Committee discussed the proposed number of dwellings, the proportion that would consist of affordable housing and how this would be achieved, both on the site and through funding for properties elsewhere. During the discussion some Members expressed concern that the proposed number of dwellings would be significantly greater than identified in the Draft Local Plan. They questioned whether given the additional dwellings it would be a sustainable or appropriate development. They also expressed concern that it might have an adverse impact on the local area and questioned its economic benefits to the local community.

Committee discussed extensively the potential for the application to increase the volume of traffic and the implications which this might have for road safety in the local area. Committee noted the information on the potential increase in the volume of traffic. Some Members expressed concern about the lack of information submitted and, the impact of the Development on traffic volumes and road safety and especially the impact on would be the access junction of the development on to the main highways network.

At the conclusion of the discussion, Councillor W Armitage and R Shipman

moved and seconded a motion to reject the application.

The motion was put to the vote and approved.

RESOLVED

That the application be rejected against officer recommendations on the following grounds.

The application was considered unacceptable as it represented the development of a greenfield site and the proposals for a development of 50 dwellings would exceed the 30 dwellings set out in the North East Derbyshire Local Plan 2014-2034 (Publication Draft) (PDLP) housing allocation. It would therefore constitute development that is not sustainable and which would adversely affect the character of the area and so to grant permission would be contrary to policy GS1 of the Adopted North East Derbyshire Local Plan and policies SS1 and LC1 (as amended by Main Modifications) of the North East Derbyshire Local Plan 2014-2034 (Publication Draft).

The application had not been accompanied by a capacity assessment of the existing junction of Primrose Lane and Sheffield Road and there was insufficient information submitted to allow a proper assessment of the issue of highway safety. Notwithstanding that, the development of the site for 50 dwellings would introduce additional vehicles movements that would be severely harmful to and impact on highway safety. To grant permission would, therefore, be contrary to policy T2 of the Adopted North East Derbyshire Local Plan and ID3 (as amended by Main Modifications) of the North East Derbyshire Local Plan 2014-2034 (Publication Draft) (PDLP).

PLA/ NED/20/00861/FL - Holmewood

94/2

0-21

The report to Committee explained that an application had been submitted for construction of a new cold store building, with associated plant room, service yard, car parking and landscaped 'bund' to the perimeter. The report explained that this would be a major development affecting a public right of way and would involve an amendment to an earlier plan. The application site would be on land to the rear of Dukes Close, Wood Street and Cavendish Close, Holmewood.

Before Members discussed the application, those registered to speak were asked to address the Committee. L Tye, M VonGyer and N Smith spoke against the application. The ward Member, Councillor S Cornwell also spoke against the application. The applicant, A Lawrence, spoke in support of the application.

The report to Committee recommended that the application be approved subject to a Section 106 agreement with the developer and the conditions set out in the report.

The report to Committee explained the reasons for this. It highlighted the economic benefits of the proposed development. It contended that although there would be a degree of change for the residential areas as a result of the proposal, these would not be significantly detrimental. It also contended that the

proposed enhanced landscaping would improve the visual outlook for the occupiers.

Committee considered the application. It took into account the relevant Planning Issues. These included the Principle of Development and Application of Policy. Members were reminded of the specific policies which allowed premises to be extended in an existing employment area.

Committee considered the impact on the character of the area, including the loss of the existing wildlife habitat and the impact on neighbouring properties. Members also considered the potential economic implications of the development, including the number of new jobs that would be created.

Members discussed the application. They considered the loss of woodland and how far the proposed landscaping would help to offset this. Members also discussed the visual impact of the proposed development and considered what additional landscaping might help to mitigate this further. Committee then discussed the possible impact on neighbours of the development. In this context, Members heard about the improved freezer unit technology that would be installed on the site and the contribution that this would make to reducing noise levels.

At the conclusion of the discussion Councillor W Armitage and M Foster moved and seconded a motion to approve planning permission for the application, subject to the additional landscaping conditions, as specified at the meeting.

The motion was put to the vote and was approved

RESOLVED -

That the Application be approved, subject to the conditions specified in the report and those determined by Committee at the meeting, to be finalised by the Planning Manager, Development Management, in consultation with the Chair of the Committee and the prior completion of a section 106 agreement.

PLA/ Tree Preservation Order (TPO) 272 - Hardwick Wood, Wingerworth

**95/2
0-21**

The report to Committee explained that a Provisional Tree Preservation Order (TPO) had been made for Hardwick Wood, Wingerworth. Members were advised that an objection had been received to the confirmation of the Order. Committee was asked to decide if it wished to confirm the Order without modification, confirm the order with modifications or to not confirm it, in which case the Order would then lapse.

Members were informed of the reasons why the Provisional Tree Preservation Order had been made. They heard that the area of trees covered by the Order now formed part of a wider woodland and was an important local amenity, with some wider ecological benefits. It was explained that officers had concluded, therefore, that the trees ought to be protected and considered that the Provisional Tree Preservation Order ought to be confirmed.

Before Members discussed the Provisional TPO they heard from A Holden, the

Site Owner for the trees covered by the Order, who spoke against its confirmation. There were no other speakers.

Planning Committee then considered the Provisional Order. As part of this, Members discussed the access arrangements in the wood, the proposed route to the Site Owner's property, the possible loss of trees which this might involve and the potential implication for wildlife in the area. They also discussed the option for the Site Owner to make an application for a Tree Management Order to undertake necessary work to facilitate their access through the woodland. Any proposed work, it was explained, could then be considered on its merits.

At the conclusion of the discussion Councillor J Barry and Councillor D Ruff moved and seconded a motion to confirm the Provisional Tree Preservation Order without modification.

RESOLVED -

That Tree Preservation Order (TPO) 272 – Hardwick Wood, Wingerworth, be confirmed without modification.

PLA/ Tree Preservation Order (TPO) 275 - Gomersal Lane, Dronfield

96/2

0-21

The report to Committee explained that a Provisional Tree Preservation Order (TPO) had been made at Highdale Fold, Gomersal Lane, Dronfield. Members were advised that comments had been received about the potential confirmation of the Order. Committee was asked to determine if it wished to confirm the Order without modification, confirm the Order with modification or not to confirm it, in which case the Order would then lapse.

Members heard the reasons why the Provisional Tree Preservation Order had been made. In particular, that the woodland was considered to be under threat from the potential loss of or pruning back of trees. Committee was informed that the wood was considered important visually due to its location within an otherwise generally urban environment. Officers had concluded that the woodland provided significant amenity value to the local area and that the site should be formally protected by confirming the Order.

Before Members discussed the application, those registered to speak were asked to address the Committee. F Allen, the owner of the trees covered by the Provisional TPO spoke against its confirmation. C Lewis spoke in support of confirming the Order without modification.

Planning Committee considered the Provisional Tree Preservation Order. There was a consensus that the Tree Preservation Order ought to be confirmed. However, Committee also felt that the site owner be encouraged to apply for a Tree Management Order, so that any necessary works on the woods could be identified and be considered on their merits.

At the conclusion of the discussion Councillor M Foster and Councillor A Powell moved and seconded a motion to confirm the Provisional Tree Preservation Order without modification.

RESOLVED -

That Tree Preservation Order (TPO) 275 – Gomersal Lane, Dronfield, be confirmed without modification.

PLA/ Planning Appeals - Lodged and Determined

97/2

0-21

Members considered the Planning Appeals that had been lodged and determined. Committee noted that four Appeals had been lodged. No appeals had been allowed and one had been refused.

PLA/ Matters of Urgency

98/2

0-21

There were no matters of urgency.