

**PLANNING COMMITTEE****MINUTES OF MEETING HELD ON 3 SEPTEMBER 2019****I N D E X**

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## PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON 3 SEPTEMBER 2019

#### **Present:**

Councillor D Ruff .....	Chair
Councillor P Antcliff .....	Vice-Chair
Councillor J Barry	Councillor H Liggett
“ S Clough	“ M Potts
“ A Cooper	“ A Powell
“ P Elliott	“ T Reader
“ R Hall	“ J Ridgway
“ D Hancock	“ K Rouse
“ C Huckerby	

#### Substitutes Present:

Councillor N Barker - acted as substitute for Councillor Hill  
Councillor M Jones - acted as substitute for Councillor Hunt  
Councillor O Gomez Reaney – acted as a substitute for Councillor Armitage

#### Also Present:

Adrian Kirkham - Planning Manager – Development Management  
Graeme Cooper - Principal Planning Officer  
Colin Wilson - Senior Planning Officer  
Jim Fieldsend - Team Leader Solicitor (non contentious)  
Alan Maher - Senior Governance Officer

#### **176 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors W Armitage, E Hill and C Hunt.

The meeting was advised that Councillor Gomez Reaney would act as a substitute for Cllr Armitage, Cllr Barker would act as substitute for Cllr Hill, Cllr Jones would act as substitute for Cllr Hunt.

#### **177 Declarations of Interest**

Members were 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.

Cllr Barker indicated an interest in NED application NED/19/00430/FL as a local ward Member. He explained that he would withdraw from the meeting for the period when the application was being considered by the Committee. He would neither take part in the discussions nor participate in the Committee's decision on the application.

#### **178 Minutes of Last Meeting**

RESOLVED – That the Minutes of the last meeting of the Planning Committee held on 30 July 2019 be approved as a correct record and signed by the Chair.

**179 Development Management Applications**

The Committee considered Report No PM/9/19-20/AK of the Planning Manager – Development Management together with visual presentations for each of the following applications.

**NED/19/00430/FL**

Councillor Barker left the meeting at this point.

The report to Committee explained that an outline planning application had been submitted for the erection of one dwelling and replacement double garage (Amended Title/Amended Plans) on land to rear of 91 and 91A Chesterfield Road, North Wingfield for Mr David Cooper. The application had been referred to the Committee by Councillor Barry, who had raised concerns about it.

One objector exercised their right to attend the meeting and speak against the application.

The agent and applicant did not speak in support of the application. No other supporters spoke in favour of the application.

Committee considered the application. They took into account the suitability of the proposal in policy terms, its effect on the character and appearance of the site and the surrounding street scene, the impact upon the amenity of neighbouring residents and land uses, its ecological impact, land stability, land contamination, drainage and highway safety.

Members discussed the application. In this context, they questioned the suitability of access to the site, the possible road safety implications and whether, given the traffic conditions, emergency vehicles would be able to get through. At the conclusion of the discussion, Committee:

**RESOLVED** – That officer recommendations on application number NED/19/00430/FL be rejected for the following reason:

The application is considered unacceptable as the construction of a new dwelling on the site would result in the intensification of the use of sub-standard access that would have an unacceptable impact on the highway safety contrary to policy T2 of the North East Derbyshire Local Plan and the National Planning Policy Framework (NPPF) when read as a whole.

**NED/18/01116/FL and NED/18/01117/LB**

Councillor Barker returned to the meeting at this point.

The report to Committee explained that the two, linked, planning applications had been submitted. The first application, NED/18/01116/FL, was for the conversion of traditional buildings to B1(a) Office Use, A3 Café; Conversion of Farm Building to B1(c) Joiners Workshop; Demolition of existing agricultural buildings and the provision of car parking (Conservation Area/Listed Building/Resubmission of 17/01251/FL) (Amended Plans/Amended Title) at Renishaw Hall, Renishaw Park, Renishaw, Sheffield for Mrs A Hayward. The second application, NED/18/01117/LB was for listed

building consent for conversion of traditional buildings to B1(a) office use, A3 café. Conversion of farm building to B1(c) joiners workshop; demolition of existing agricultural buildings and the provision of car parking (Conservation Area/Listed Building/Resubmission of 17/01301/LB) (Amended Plans/Amended Title) at Renishaw Hall, Renishaw Park, Renishaw, Sheffield for Mrs A Hayward.

Both applications had been referred to the Committee by Councillor Ridgway, who had raised concerns about them.

The Committee was directed to the recent late comments/update report which had been issued the afternoon prior to the meeting.

Five objectors exercised their right to attend the meeting and spoke against the applications. One of these speakers was District Councillor Jeremy Kenyon, who spoke in his capacity as an Eckington Parish Councillor.

The agent exercised their right to attend the meeting and spoke in support of the application. No supporters spoke in favour of the application.

Committee considered the applications. They took into account the loss of a subsisting viable agricultural enterprise, as well as the Green Belt considerations, compliance with the Council's conversion policy, impact on the character and appearance of the area, impact on the heritage assets affected by the development, highway safety and biodiversity considerations. Each of these matters were assessed in turn in the Planning Assessment in the report.

Members discussed the applications. They paid special attention to the potential impact on the existing farm business of the proposed conversion of buildings which they currently use for agricultural purposes. They also discussed the impact on the environment and whether the development would be inappropriate within the Green Belt. At the conclusion of the discussion Committee:

**RESOLVED** – That officer recommendations on application number NED/18/01116/FL and NED/18/01117/LB be rejected for the following reasons:

1. The formation of a car park of the size and in the location proposed comprises an engineering operation and a change in the use of the land that is not associated with rural areas and would result in an unacceptable encroachment into the countryside that is both inappropriate development in the Green Belt and which would have an unacceptable impact on the character of the area and no very special circumstances outweigh this harm to justify such development in the Green Belt.

As such the proposal is contrary to policies GS1, GS2, GS6, GS7 of the North East Derbyshire Local Plan and policies SS1, SS9 and SS10 of the of the North East Derbyshire Local Plan (2014-2034) and the NPPF when read as a whole.

2. The application is considered unacceptable as the proposal would unacceptably impact on the existing farming enterprise adversely affecting a successful rural business contrary to planning policies GS1 and GS6 of the North East Derbyshire Local Plan and the NPP when read as a whole.

**NED/18/00995/FLH**

The report to committee explained that an application had been received for the partial demolition of outbuilding and link extension with erection of new single storey extension and detached garage at Church Farm, 2 Stretton Road, Morton, Alfreton for Mr J Funnell. The application had been referred to the Committee as the applicant was an elected Member of North East Derbyshire District Council.

No one spoke in either objection or in support of the application.

Committee considered the application, having regard to the suitability of the proposal in the location in policy terms, its effect on the character and appearance of the site, its surrounding street scene and the Conservation Area, potential impacts on highway safety and the impacts upon the amenity of neighbouring occupiers.

Members discussed the application and raised no specific concerns. At the conclusion of the discussion, Committee:

**RESOLVED** – That application number NED/18/00995/FLH be approved in line with officer recommendations with the final wording of conditions delegated to the Planning Manager

- 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 following plans 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 Dwg No. PA/15-015 SK 81 03 A Proposed Extension Alterations & Detached Garage (date stamped 24.12.2018).
- 3 The proposed stone material shall match the existing buildings walling material as closely as possible in course depth, overall size, colour, texture and tooling.
- 4 Prior to the use of the scheme hereby approved a bat box shall be provided and identified within a plan which shall be submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the building.

**NED/19/00667/FLH and NED/19/00668/LB**

**NED/19/00667/FLH**

The report to Committee explained that the two, linked, planning applications had been submitted. The first application, application, NED/19/00667/FLH was for a proposed single storey sunroom side extension (Listed Building)(Revised scheme of 18/01126/FLH) at Common Bank House, Fallgate, Milltown, Ashover for Mr and Mrs Wortley. The second application NED/19/00668/LB was for Listed Building Consent application for proposed single storey sunroom side extension (Revised scheme of 18/01126/LB) at Common Bank House, Fallgate, Milltown, Ashover for Mr and Mrs Wortley.

The application had been referred to the Committee by the Planning Manager as the applicant is an employee of North East Derbyshire District Council.

No one spoke in objection to the application.

The agent/applicant exercised their right to attend the meeting and spoke in support of the application.

No other supporters spoke in support of the application.

Committee considered the application. They had regard to the suitability of the proposal in terms of its effect on the character of the site and surrounding area, the amenity of neighbouring uses and highway safety and also having regard to the impact the proposal will have on the special architectural and historic interest of the building and its setting.

Members discussed the application. They noted that this proposal had originally been submitted to Committee in 2010. They also noted that that this revised proposal would have far less impact on the listed building.

**RESOLVED** – That application number NED/19/00667/FLH and application NED/19/00668/LB be approved in line with officer recommendations, with the final wording of conditions delegated to the Planning Manager.

**NED/19/00667/FLH**

- 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 Drawing number DRG.03 Rev F Oct 18 and application form received 28th June 2019, unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.

**NED/19/00668/LB**

- 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 Drawing number DRG.03 Rev F Oct 18 and application form received 28th June 2019, unless otherwise specifically agreed in writing by the Local Planning Authority or otherwise required by any other condition in this decision notice.
- 3 Before development starts a sample of the stone to be used shall be made available on site for inspection and for approval in writing by the Local Planning Authority. Stonework shall be constructed with an outer face of new or reclaimed stone to match the existing stonework in course depth, overall size, colour, texture and tooling. Unless the existing masonry is tooled the new stone shall be left with a natural split face.

- 4 Before development starts, details of the mortar mix to be used shall be submitted to and approved in writing by the Local Planning Authority. The mortar used shall be a lime mortar and the pointing shall be brushed back from the surface of the stonework. A 1m<sup>2</sup> sample panel of pointing is to be made available on site for approval in writing by the Local Planning Authority prior to the commencement of works. The approved sample panel shall be retained on site for the duration of the works.
- 5 The new windows and doors shall be set back 100mm from the outer face of the stonework and shall be constructed in painted timber and retained as such thereafter.

**NED/18/01195/FL**

The report to Committee explained that an application had been received for the Demolition of existing house, attached barn, and outbuildings to the north and south and the erection of one replacement house with attached garage (Amended Plans) at Grange Farm, Cowley Lane, Holmesfield, Dronfield for Mr and Mrs Oates. The application had been referred to Committee by the Planning Manager to allow for a full consideration of all the relevant policy issues.

No one spoke to object against the application.

The agent exercised their right to attend the meeting and spoke in support of the application.

No other supporters spoke in favour of the application.

Committee considered the application. They took into account the suitability of the proposal in this location in policy terms, most notably its impact on the Green Belt, its effect on the character of the site and the surrounding area, impact on the privacy and amenity of neighbours, and highway safety issues.

Members discussed the application. They considered the existing barn building and queried its use for domestic rather than agricultural purposes. They also expressed concern about the potential impact of the increased size of the new dwelling and noted the concerns of the Parish Council that approving this application would set a precedent for similar applications effecting the Green Belt in the future. There was a consensus that the Committee would require additional information in order to determine on the application. At the conclusion of the discussion, Committee:

**RESOLVED** – That consideration of application number NED/18/01195/FL be deferred to a later date in order to provide the Committee with additional information required in order to make a determination on the application.

**180 Planning Appeals Lodged and Determined**

The Committee considered Report No PM/10/19-20/AK of the Planning Manager – Development Management.

The following appeals had been lodged:-

Ms Joy Harrison-Roycroft – Application for change of use to equestrian with hay barn and field shelters (revised scheme of 18/00155/FL) at Land North West Of Holly Tree House, Westfield Lane, Middle Handley (18/00963/FL)

Mr Ken Swain – Conversion of existing stable building to form 2 dwellings at K J S Fisheries, Field Lane, Killamarsh (18/01061/FL)

L Plawecki – Application for a single detached dwelling at 84 Main Road, Renishaw (19/00121/FL)

Ms M Brown – Application for replacement of 6no Windows (Conservation Area) at Ashover Post Office, Moor Road, Ashover (19/00403/FL)

Mrs Lynn Booth - Swim 121 – Application to vary Conditions 2 (employees) and 3 (opening times) relating to 16/00768/FL at The Croft, Mansfield Road, Mile Hill, Hasland (18/01045/FL)

Mr Andrew Bayliss– Demolition of existing garage and erection of detached dwellinghouse (Listed Building) (Revised scheme of 17/00448/FL) (Amended Plan) (Further Amended Plans) at 26 Hallows Lane, Dronfield (17/00914/FL)

Mr Andrew Bayliss– Listed building consent application for the retention of partially demolished and relocated 2m high boundary wall at 26 Hallows Lane, Dronfield (18/00637/LB)

Keepmoat Homes Ltd– Outline planning permission for the development of up to 84 residential dwellings (Use Class C3) with access for determination and all other matters reserved for future determination (Major Development/Departure from Development Plan) (Amended Title/Plans) at Land North Of Pilsley Road And West Of Coney Green Road, Claycross (16/01260/OL)

The following appeal had been allowed:-

Chris Sinclair– Change of use from Public House to Residential dwelling with alterations to openings and new glass balustrade to front (revised scheme of 18/00690/FL) (Amended Plans) at The Barrack Hotel, Barrack Road, Apperknowle (18/01006/FL)

The following appeal had been dismissed:-

Mr & Mrs Kavanagh– Proposal of a new single storey 3bed dwelling to the rear garden of 17 green Lea with associated landscape and access at 17 Green Lea, Dronfield Woodhouse (18/00685/FL)

No appeals had been withdrawn.



RESOLVED – That the report setting out the appeals lodged and determined within the previous month be noted.

**181 Urgent Business**

There was no urgent business

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PLAN MINS(0903)/MD