

## **PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON TUESDAY, 5 SEPTEMBER 2023**

#### **Present:**

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

Councillor Andrew Cooper  
Councillor David Hancock  
Councillor William Jones  
Councillor Kathy Rouse

Councillor Stuart Fawcett  
Councillor Christine Gare  
Councillor Heather Liggett

#### **Also Present:**

D Thompson	Assistant Director of Planning
A Kirkham	Planning Manager - Development Management
G Cooper	Principal Planning Officer
A Lockett	Senior Planning Officer
S Sternberg	Assistant Director of Governance and Monitoring Officer
A Bond	Governance Officer
A Maher	Governance Manager

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

**20/2**

**3-24** Apologies were received from Councillor D Cheetham, who was substituted by Councillor C Gare and Councillor P Elliot, who was substituted by Councillor W Jones. Apologies were also received from Councillor M Foster.

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

**21/2**

**3-24** Councillor D Hancock declared an Interest in Item 6 – Application NED/22/0142/AD, in his capacity as a Member of Wingerworth Parish Council. He indicated that he would not take part in Committee's consideration or determination on the Application and would leave the meeting at the appropriate time.

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

**22/2**

**3-24** The minutes of the meeting held on Tuesday 26 July 2023 were approved as a true record.

#### **PLA/ NED/22/00686/FL - DRONFIELD**

**23/2**

**3-24** The report to Committee explained that an Application had been submitted for the development of 27 new dwellings, a Sports Pavilion and associated access at the Gladys Buxton Adult Education Centre site, Oakhill Road, Dronfield. The Application had been referred to the Committee by the Planning Manager (Development Management) due to the important planning policy issues that would need to be considered.

Planning Committee was recommended to approve the Application, subject to conditions and a 'Section 106' Agreement between the Council and the Developer to carry out specific work to help offset the impact of the new development. The report to Committee explained the reasons for this.

Officers felt that the development would be acceptable and accord with the Policies of the Development Plan. They contended that the Applicant had provided a layout and design, which would, on balance, provide a reasonable environment for future occupiers of the Development and ensure that an acceptable level of amenity was retained by existing residential occupiers. A full package of social mitigation had been offered as part of a Section 106 Agreement, and in particular, the Applicant had agreed a mitigation package for the part loss of the playing fields, to provide a two-team sports pavilion for those using the remaining playing fields.

Officers had concluded, therefore, that the proposed Development would accord with the policies of the Development Plan. There were no technical reasons that would justify resisting the Application or other matters that would outweigh this. The proposed Development would also provide affordable housing, which would help to meet the needs of the local area and the District as a whole. The report recommended, therefore, that the Application be approved, subject to the conclusion of a suitable Section 106 Agreement and the conditions set out in the report.

Before the Committee considered the Application it heard from E Ranson and P Ranson, who spoke against the Application. It also heard from T Breislin, the Agent for the Application, who spoke in support of it.

Committee considered the Application. It took into account the location of the site within the Settlement Development Limits for Dronfield. It considered the relevant local and national planning policies. These included Local Plan Policy SS7 on the development of unallocated land within Settlement Development Limits, Local Plan Policy SDC12, requiring new developments to achieve high standards of design and Local Plan Policy ID10, seeking to protect and enhance existing open space sports and recreation facilities. It also took into account Local Plan Policy ID1, requiring appropriate mitigation to be achieved to offset the social impacts of developments, as well as the relevant policies of the Dronfield Neighbour Plan and the National Planning Policy Framework (NPPF).

Members discussed the Application. They reflected on the low level of use of the playing field for organised sport in recent years and what use might be made of it in the future. In this context, some Members expressed concern about the proposed Sports Pavilion, suggesting that it might remain empty and so become a focus for Anti-Social Behaviour. Committee was given the assurance that as a condition of approval it was proposed that a Management Agreement for the proposed Sports Pavilion would have to put in place, which would help to prevent these problems from occurring. Some Members raised concerns about pedestrian and traffic access to the proposed Sports Pavilion. It was suggested that this could be addressed as part of a Section 106 Agreement with the Developer. Members also discussed what impact the Development might have on neighbouring properties and how this would be mitigated.

At the conclusion of the discussion Councillor D Hancock and K Rouse moved and seconded a recommendation to approve the Application. The Motion was put to the vote and was agreed.

**RESOLVED -**

- (1) That the Application be conditionally approved, in line with officer recommendations and the prior agreement of a Section 106 agreement, in accordance with the details set out in the report.
- (2) That the final wording of the Conditions be determined by the Planning Manager (Development Management)

Conditions

- 1.1 **GRANT** Planning Permission subject to the following conditions and the prior completion of a section 106 agreement in accordance with the details set out in the report above (with delegated authority granted to the Planning Manager (Development Management)).

**Section 106 Agreement to include:**

**NEDDC Parks:** £30,059.74 plus £11,766.16. Total: £41,825.90

**Chesterfield Royal Hospital:** Total £58,894

**Derbyshire County Council:** £213,099.53 plus monitoring fees.

**Biodiversity Net Gain:** As agreed.

**Management of the Pavilion:** as agreed.

**Affordable Housing.**

**Conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with the details shown on the following plans:

200 Location Plan received 6<sup>th</sup> July 2022

205 REV A Proposed Planning Layout uploaded 14<sup>th</sup> June 2023

210-223 REV A House Types, floor plan and elevations uploaded 14<sup>th</sup> June 2023

5918-EW-01 REV P9 External Works Layout uploaded 15<sup>th</sup> June 2023

5918-EW-02 REV P8 External Works Layout uploaded 14<sup>th</sup> June 2023

5918-DR-01 REV P4 Drainage Layout uploaded 15<sup>th</sup> June 2023

Revised Biodiversity net Gain File note uploaded 15<sup>th</sup> June 2023

Revised Biodiversity Metric uploaded 15<sup>th</sup> June 2023

Revised Drainage Strategy uploaded 15<sup>th</sup> June 2023

Revised Planning Statement uploaded 15<sup>th</sup> June 2023

Revised Transport Statement uploaded 15<sup>th</sup> June 2023

Phase 2 Intrusive Report uploaded 6<sup>th</sup> July 2022  
Phase 1 and Phase 2 Tree Survey uploaded 6<sup>th</sup> July 2022  
Design and Access Statement received 10<sup>th</sup> August 2023  
Preliminary Ecological Appraisal uploaded 31 August 2022

3. 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.
4. 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:- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical; b) evidence of existing positive drainage to public sewer and the current points of connection; and c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.
5. No development shall commence above foundation level of any of the dwellings hereby approved until the access arrangements onto the playing field and the car park as shown on approved Drw No: 205 Rev A (Proposed Planning Layout) have been implemented in full and made available for use at all times for all users of the playing field.
6. Prior to the first occupation of any of the dwellings hereby approved the sports pavilion as shown on Drws No: 205 Rev A and 223 shall be constructed on site and made available for use for all users of the playing field.
7. No development shall commence until;
  - a) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

8. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

9. Before first occupation of the houses on relevant plots, the foot access between the garages for plots 25 and 26 should be secured with a key lockable gate, suited to the plots affected and be retained as such thereafter.
10. Before first occupation of the plots served by it, either the vehicular entrance to the parking court serving plots 19, 20, 21, 22, 23, 24, 25, 26 & 27 should be provided with a pair of manual gates, capable of being secured when chosen, or the outer sections of garden fencing between private gardens and the court should be changed to a 1.2m high solid wooden lower section, with an engineered 500mm topping to allow house occupants a view of their vehicle/garage.
11. Before development commences, a scheme of 20% accessible and adaptable dwellings shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, and not be limited to, details of which plots will be compliant, detailed floor plans and how each plot meets the requirements of M4(2) of the Building Regulations 2015 or any subsequent government standard. The approved scheme shall be implemented in full in accordance with the approved details and retained for the lifetime of the dwelling.
12. Except in the case of emergency, operations (or deliveries to the site) should not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There should be no working on Sundays or Public Holidays.
13. Heavy goods vehicles shall only enter or leave the site between the hours of 08:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).
14. Best practicable means shall be employed to minimise noise and dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.
15. 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 or groundwork 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.

16. Prior to the first occupation of any of the dwellings hereby approved a scheme of sound insulation shall be submitted to and approved in writing the Local Planning Authority. The scheme shall be designed following the completion of a sound survey undertaken by a competent person. The scheme shall take account of the need to provide adequate ventilation, which will be by mechanical means where an open window would not achieve the following criteria. The scheme shall be designed to achieve the following criteria with the ventilation operating:

Bedrooms 30 dB LAeq (15 Minutes) (2300 hrs – 0700 hrs)

Living/Bedrooms 35 dB LAeq (15 Minutes) (0700 hrs – 2300 hrs)

All Other Habitable Rooms 40 dB LAeq (15 Minutes) (0700 hrs – 2300 hrs)

All Habitable Rooms 45 dB LAmax to occur no more than 10 times per night (2300 hrs – 0700 hrs)

Any outdoor amenity areas 55 dB LAeq (1 hour) (0700 hrs – 2300 hrs)

The scheme as approved shall be validated by a competent person and a validation report submitted to and approved in writing by the local planning authority. The approved scheme shall then be implemented in full and retained as such thereafter.

17. Before the commencement of the development hereby approved:  
Further works as identified in the submitted Report ref 5132-G-R002-Rev-B, dated May 2022, along with the preparation and submission of a remediation strategy shall be undertaken. The Remediation works shall ensure that the development 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.

18. No dwellings/buildings hereby approved shall be occupied until:
- a) The approved remediation works required by XX 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 contaminated land assessment ref 5132-G-R002-Rev-B, dated May 2022 submitted with the application and through the process described in 1.18 above and,

- c) Upon completion of the remediation works required by 1.18 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.
19. Prior to the first occupation of any dwelling, hereby approved, a scheme for the delivery and future maintenance of all on site public open space, and a timetable for its implementation relative to the completion of dwellings hereby approved, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented in full as agreed and then the public open space shall be maintained as such thereafter.
20. 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) identification of trees designated street trees
  - d) a schedule of proposed plant species, size and density and planting locations and
  - e) an implementation programme.
21. 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 which within a period of 15 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.
22. Before the dwellings are first brought into use, the area shown on the approved plans as reserved for the parking, garaging, circulation and standing of vehicles, shall be provided in accordance with the approved details and shall be retained as such thereafter. The parking and manoeuvring areas shall not be used for any purpose other than the parking and manoeuvring of vehicles and in particular shall not be used for the open storage of goods, plant or materials of any kind.
23. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:

- a. Flood Risk Assessment prepared by KSA Consulting Engineers, Ref 5918- FRA dated May 2022, “including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team”.
  - b. Drainage Strategy prepared by KSA Consulting Engineers, Ref 5918/DS01, Rev A dated May 2022, “including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team
  - c. And DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority.
24. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80reference ID: 7-080-20150323 of the planning practice guidance. and to obtain a full understanding of the springs within the site and any associated mitigation requirements.
25. Prior to commencement of the development, the applicant shall submit for approval to the LPA details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.
26. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

## Notes

### Yorkshire Water

Yorkshire Water: If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he/she should contact our Developer Services Team (telephone 03451 208 482, email: [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's

requirements.

### Derbyshire County Council

The management and maintenance of the sports pavilion building should form part of appropriate wording in a Section 106 Agreement to accompany this planning application.

Broadband developers should work with broadband providers to ensure NGA broadband services are incorporated as part of the design of new development. However, if it can be shown that this would not be possible, practical or economically viable, in such circumstances, suitable ducting should be provided within the site and to the property to facilitate future installation.

### Lead Local Flood Authority

A. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.

B. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact [Flood.Team@derbyshire.gov.uk](mailto:Flood.Team@derbyshire.gov.uk).

C. No part of the proposed development shall be constructed within 5-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.

D. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.

E. The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.

F. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.

G. The applicant should provide a flood evacuation plan which outlines:

- The flood warning procedure
- A safe point of extraction • How users can safely evacuate the site upon receipt of a flood warning
- The areas of responsibility for those participating in the plan
- The procedures for implementing the plan
- How users will be made aware of flood risk
- How users will be made aware of flood resilience

- Who will be responsible for the update of the flood evacuation plan PUBLIC

H. Flood resilience should be duly considered in the design of the new building(s) or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.

I. Surface water drainage plans should include the following:

- Rainwater pipes, gullies and drainage channels including cover levels.
- Inspection chambers, manholes and silt traps including cover and invert levels.
- Pipe sizes, pipe materials, gradients, flow directions and pipe reference numbers.
- Soakaways, including size and material.
- Typical inspection chamber/ flow control chamber / soakaway / silt trap and SW attenuation tank details.
- Site ground levels and finished floor levels.

J. On Site Surface Water Management.

- The site is required to accommodate rainfall volumes up to the 1% probability annual rainfall event (plus climate change) whilst ensuring no flooding to buildings or adjacent land.
- The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas, etc, to demonstrate how the 30 year + 35% climate change and 100 year + 40% Climate Change rainfall volumes will be controlled and accommodated. In addition, an appropriate allowance should be made for urban creep throughout the lifetime of the development as per 'BS 8582:2013 Code of Practice for Surface Water Management for Developed Sites' (to be agreed with the LLFA).
- Production of a plan showing above ground flood pathways (where relevant) for events in excess of the 1% probability annual rainfall event, to ensure exceedance routes can be safely managed.
- A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc), attenuation basins/balancing ponds are to be treated as an impermeable area.

### **Peak Flow Control**

- For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100-year rainfall event, should never exceed the peak greenfield run-off rate for the same event.
- For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 100% probability annual rainfall event and the 1% probability annual rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development, prior to redevelopment

for that event.

### **Volume Control**

- For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must not exceed the greenfield runoff volume for the same event.
- For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but must not exceed the runoff volume for the development site prior to redevelopment for that event.

*Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).*

- Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.
- Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within the highway.
- Guidance on flood pathways can be found in BS EN 752.
- The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network, whatever the size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space, etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which is similar to that prior to the development taking place, may be excluded from the greenfield analysis.

K. If infiltration systems are to be used for surface water disposal, the following information must be provided:

- Ground percolation tests to BRE 365.
- Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.
- Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689- 1:2003.
- Volume design calculations to 1% probability annual rainfall event + 40% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 – Table 25.2. PUBLIC •

Location plans indicating position (soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.

- Drawing details including sizes and material.
- Details of a sedimentation chamber (silt trap) upstream of the inlet should be included. Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

L. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable.)

M. The applicant should submit a comprehensive management plan detailing how surface water shall be managed on site during the construction phase of the development ensuring there is no increase in flood risk off site or to occupied buildings within the development.

N. The applicant should manage construction activities in line with the CIRIA Guidance on the Construction of SuDS Manual C768, to ensure that the effectiveness of proposed SuDS features is not compromised.

**PLA/ NED/23/00610/FL - CUTTHORPE**

**24/2  
3-24**

The report to Committee explained that an Application had been submitted for Temporary Planning Permission to site a Mobile Farm Shop, along with the creation of new access and parking, at land to the west side of the Cutthorpe Institute, Main Road, Cutthorpe. The Application had been referred to Committee by Ward Member, Councillor M E Thacker MBE, who had raised issues about it.

Committee was recommended to refuse the Application. The report to Committee explained the reasons for this.

Officers had concluded that the proposed Farm Shop / Café building, and the associated car park and infrastructure would represent an unacceptable development. If approved, it would cause significant harm to the Green Belt, impacting upon the openness, both spatially and visually, of the site. This would be contrary to both Local and National Planning Policy, which seek to protect the Green Belt and areas of countryside which contribute to the character of the area from inappropriate and unacceptable development.

Officers also contended that none of the very special circumstances in planning terms, that would justify the Development and outweigh the harm to the Green Belt site, had been identified. Consequently, they recommended that the Application be refused.

Before the Committee considered the Application it heard from A Herrington, who objected to the Application. It also heard from E Wood and M Langley, the Applicants and D Cooney, the Agent, who spoke in support of the Application. The Committee then heard from D Catton, T Johnstone, A Wood and C Langley, who supported the Application.

Committee considered the Application. It took into account the site's location within the Green Belt and a primary Area of Multiple Environmental Sensitivity (AMES), within the District's most valued and protected landscape.

Committee considered the relevant national and local planning policies. These included Local Plan Policy SS10 on preventing inappropriate development within the Green Belt except in very special circumstances, Local Plan Policy SDC3, requiring new developments not to cause significant harm to the character, quality, distinctiveness or sensitivity of the landscape and Local Plan Policy SS9, requiring acceptable developments to respect the form, scale, and character of the landscape through careful siting, scale, design, and use of materials. In addition, Committee took into account the relevant policies of the draft Brampton Neighbourhood Plan.

Members discussed the report. They reflected on what impact the development would have on the visual openness of the area. They discussed the time limited period for the Application and the officer conclusion that it would not be an appropriate development given its Green Belt location.

Members considered the proposed access and parking arrangements. They considered what use would be made of the proposed Farm Shop and Café and benefits which they might have, in terms of providing additional facilities for the local community. They heard about the potential benefits of the proposed facility in helping to diversify an existing agricultural holding and in reducing carbon emissions by using locally produced foodstuffs at the Farm Shop / Café.

At the end of the discussion Councillor K Rouse and Councillor T Lacey moved and seconded a motion to refuse the Application. The motion was put to the vote and was agreed.

#### RESOLVED -

That the Application be refused, in line with officer recommendations.

#### Reasons

1. The application site is situated within an area of countryside designated as Green Belt. National and Local Plan Policies pertaining to Green Belt land, identify new buildings as inappropriate development with a few exceptions. Engineering works are likewise inappropriate where they impact openness and Green Belt purposes.

The proposal seeks to introduce buildings, a car park and associated infrastructure into an area that is currently an undeveloped and open parcel of land.

The proposed development, by reason of its scale, massing, location and extent, is not considered to represent appropriate development in the Green Belt and it would result in unacceptable encroachment into the countryside eroding both the spatial and visual openness of the Green Belt and conflicting with Green Belt purposes.

There are not considered any very special circumstances that would outweigh the significant harm caused by way of inappropriateness.

Therefore, the proposed development would be contrary to Policies SS1 and SS10 of the North East Derbyshire Local Plan, and the NPPF, when read as a whole.

2. The application site is located within a countryside area, identified as a primary Area of Multiple Environmental Sensitivity. In such locations, both national and local policies seek to ensure development is designed in a manner sensitive to the local landscape and in a way that would conserve and enhance the area. Policies B2, B8 and B9 of the Neighbourhood Plan seek to protect the character of the area, open spaces and dry-stone walls from unacceptable development.

In this case, by reason of the scale, design and siting of the proposed building, the car park and associated infrastructure, the proposed development would unacceptably harm and fail to conserve and enhance the local landscape. Additionally, it would harm the setting of a Local Green Space and lead to the loss of a length of dry-stone wall.

Therefore, the proposed development is considered unacceptable and would be contrary to Policies SS1, SS9, SDC3 and SDC12 of the North East Derbyshire Local Plan, policies B2, B8 and B9 of the Neighbourhood Plan and the NPPF, when read as a whole.

**PLA/ NED/22/01042/AD - WINGERWORTH**

**25/2**

**3-24**

Councillor D Hancock left the meeting at this point.

The report to Committee explained that an Application had been submitted for an Advertisement Consent for four signs at the Parish Rooms, New Road, Wingerworth. The Application had been referred to Committee by the Planning Manager (Development Management) due to the interest which had been shown in it, the issues raised by the Application and because a public body (Wingerworth Parish Council) had submitted it.

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

Officers had concluded that the Application would be acceptable in planning terms. In particular, the signs would be in keeping with the character and appearance of the site and the surrounding street scene. The report made clear that concerns had been raised about the possible light pollution which the signs might cause. However, the Applicant had now confirmed that these would not be illuminated as part of this Application. Consequently, officers were content that the proposal would not have a detrimental impact on the amenity of neighbouring residents, land uses or the adjacent countryside setting.

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

Committee discussed the Application. Members reflected on the scale of the proposed signs. Committee welcomed confirmation that these would not now be illuminated as part of this Application. Some Members asked for and received reassurance that a requirement that the signs should not be illuminated would be included as a proposed condition for approving the Application.

At the conclusion of the discussion Councillor L Hartshorne and Councillor T Lacey moved and seconded a motion to approve the Application. The motion was put to the vote and was approved.

### RESOLVED -

That the Application be conditionally approved, in line with officer recommendations.

That the final wording of the conditions be delegated to the Planning Manager (Development Management).

### **Conditions**

- 1) The development hereby approved shall be carried out in accordance with the submitted plans:
  - 0520-AM2-LP (Location Plan)
  - Location of Signs Plan; date scanned 27.10.2022
  - Proposed Signs Plan; date scanned 27.10.2022
  - Vertical Sign Details; date scanned 11.08.2023
- 2) The signage hereby approved shall not be illuminated in any way.
- 3) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 4) No advertisement shall be sited or displayed so as to—
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- 5) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- 6) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

- 7) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

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

**26/2**

**3-24** Councillor D Hancock returned to the meeting at this point.

The report to Committee explained that one appeal had been lodged, one had been allowed and one appeal had been dismissed.

**PLA/ Matters of Urgency**

**27/2**

**3-24** None.