

**Planning Committee 14<sup>th</sup> May 2024**

**SUMMARY OF LATE COMMENTS/REPORT UPDATE**

The aim of this report is to seek to avoid the need for lengthy verbal updates that Planning Officers have sometimes needed to provide in the past at the Planning Committee. In consultation with the Chair, it has been decided that on the evening before committee a summary of all the late comments/representations received so far will be emailed to the Committee Members by the Governance Team.

It is possible that verbal updates will still be required at the meeting as sometimes comments are received at the last minute or Officers may wish to amend their recommendations: however Officers will seek to keep verbal updates to a minimum.

At the meeting Officers will only refer briefly to any key points of the case in the summary that has been emailed, as well as providing the usual verbal update for any additional last minute items.

If Members have any queries about the comments or the application itself please feel free to contact the relevant case officer given beneath the title of each summary below.

**PARISH:** Grassmoor, Hasland & Winsick Parish

**APPLICATION:** 23/00189/FL

**CASE OFFICER:** Graeme Cooper

**1. SOURCE OF COMMENTS:** Elaine & Eamonn Chapman

**DATE RECEIVED:** 04/05/24

**SUMMARY:**

I write to you to highlight our concerns regarding the planning application 23/00189/FL. DCC Highways Storage Depot.

Whilst we appreciate the positive development of this land, we have concerns about the infrastructure in place to support such a development. Mainly the inadequate drainage around this area.

The road has experienced severe flooding where the development is planned, the drains are unable to cope with the amount of water already running through them. This development will only add to the pressures placed on these drains risking further road flooding and risk to properties on the road at a lower level.

Could we ask that consideration is given to this risk and changes to the highway layout and drainage are improved to prevent further episodes of flooding.

Please see photos (below) of previous flooding outside this land in October 21 and Oct 23.



**OFFICER COMMENTS:**

These comments are noted and matters relating to flooding have been addressed in the officer report to members.

**2. SOURCE OF COMMENTS:** Cllr Durrant

**DATE RECEIVED:** 08/05/24

**SUMMARY:**

I am writing in regards to the above planning application within Grassmoor and concerns by local residents.

I have significant concerns regarding the placement of the entrance to the proposed estate. While the Highways authority is correct in saying that the area is 30mph this does not present a realistic image of the area. The 30mph zone starts only a few metres further up dropping from a 40mph road and drivers frequently drive at speed in this area and so an additional junction in a high traffic area would present significant risk to pedestrians and drivers.

Furthermore, the risk flooding in the area cannot be understated, the land aides in the drainage of the road and other houses and construction of an additional estate would risk pushing these flood waters onto existing resident properties. While the council drainage engineer has stated that the surface water runoff is not the applicants to deal with, I feel planning must take into account the public interest of existing residents that will be adversely affected by this construction. The reality is that additional floodwater in adverse weather conditions could increase the risk of flooding reaching the existing properties on North Wingfield Road. I will further stress that this land was sold without planning permission and so there is no reason to grant as standing.

Accepting this application would fail to take into account the wishes of existing residents and most importantly the safety of their properties from flood damage as well as the safety of existing road users and pedestrians and I would urge the planning committee to reject this application.

Kind regards  
Michael Durrant  
Councillor for Grassmoor  
North East Derbyshire District Council

**OFFICER COMMENTS**

Comments relating to highway safety and flood risk are noted by officers. The application site is within the settlement development limit for Grassmoor where the principle of development is acceptable. There has been no objection to the proposal from DCC Highways Authority or the Lead Local Flood Authority and as such there is no technical reason to refuse the proposed development. The officer report to members deals with all the points raised above.

**PARISH:** Clay Cross

**APPLICATION:** 24/00275/FL

**CASE OFFICER:** Graeme Cooper

**1. SOURCE OF COMMENTS:** Coal Authority

**DATE RECEIVED:** 02/05/24

**SUMMARY:**

The application site does fall within the defined Development High Risk Area; however, I can confirm that the nature of development is listed as exempt from Version 7, January 2023 of the Coal Authority's Guidance for Local Planning Authorities.

Accordingly, there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted with any planning application or for the Coal Authority to be consulted on this proposal.

**OFFICER COMMENTS:**

These comments add no new material considerations to the application before members of planning committee.

**2. SOURCE OF COMMENTS:** DCC Archaeologist

**DATE RECEIVED:** 07/05/24

**SUMMARY:**

The proposal site is adjacent to and partly on the line of the Rykniel Street Roman road (Derbyshire HER MDR5165 and MDR10207) which follows the current A61, and also on the basis of historic mapping crosses the line of a row of 19th century terraced workers houses running along the street frontage.

It is unlikely that remains of the Rykniel Street road are preserved except at considerable depth, and it is likely that the proposed works to the carriageway will simply be within the zone of previous disturbance associated with modern make-up of the road surface. I do not therefore envisage any impacts to Roman road remains if any are present in this location.

The row of terraced houses was within the zone of landscaping and trees adjacent to the road frontage – and this area also has active services visible. I therefore anticipate that any remains of the workers' housing here would be disturbed to a considerable extent, particular within the upper horizons of the site. Much of this zone is to remain undisturbed with trees retained and the proposed access road running at the southern edge. I do not anticipate that there would be meaningful

impact to buried archaeology from the likely groundworks associated with the access road in this location.

On balance therefore I conclude that there is no need for archaeological involvement in these proposals under the policies at NPPF chapter 16.

**OFFICER COMMENTS:**

These comments are noted and add no new material considerations to the application before members of planning committee.

**3. SOURCE OF COMMENTS:** Parish Council

**DATE RECEIVED:** 10/05/24

**SUMMARY:**

Objections and comments made by Clay Cross Parish Council to Planning Application 24/00275/FL for modifications to an existing car park including provision of a new access from High Street A61.

- Object to the movement of the road crossing from its original position where there is ample access from the curtilage on both sides of the road to a position that is limited for space and would pose a problem for families/people who used prams/pushchairs or users of motorised scooters/chairs.
- The Parish Council agrees with the Highway Authority and questions the merit and need for a vehicular access junction off the A61 High Street as it will require extensive works, disruption to traffic flow, will be very expensive and will only provide an access to and from a car park.
- The Parish Council supported the Planning Application 23/00601/FL and were happy when this application was removed from that final proposal.
- The Parish Council has received awards for its upkeep and maintenance of the green space verging the A61 especially from the Clay Lane/Thanet Street junction through to the site of this planning application. The removal of 5 trees and some greenspace to facilitate an alternative car park access is viewed as unacceptable and the Parish Council will object to this.

The Parish Council has a robust Tree Management Policy (June 2022) which states that they will maintain a safe and viable tree stock ensuring consistency with regards to requests to prune and maintain. The policy states that trees will not be removed unless there is a demonstrable arboricultural, safety or legal reason for the removal. The Parish Councils Greenspace Tree Management Policy states that they will aim to create a varied and sustainable tree population in the parks and open spaces for reasons of aesthetics and for the benefit of the biological diversity of the town, assisting in offsetting the carbon capture and support the Climate Change initiative.

- Although not a planning matter, it would appear that this is another uncosted idea by individuals who have been presented with millions in regeneration monies.

**OFFICER COMMENTS:**

These comments are noted and add no new material considerations to the application before members of planning committee.