

Planning Committee 3rd September 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: Dronfield

APPLICATION: 23/00932/FL

CASE OFFICER: Kerry Hallam

1. SOURCE OF COMMENTS: David Harrison

DATE RECEIVED: 22/08/2024

SUMMARY:

In addition to my objections detailed in my submitted letter several months ago. The design throws up a number of serious concerns:

- Reduction in day light and privacy from 3 storey buildings on an inclining landscape, these are serious privacy/right to light issues on Southfield drive/mount
- Devaluing my property as a result of an ill thought out development on Green Belt land which should be protected
- Creating a precedent of 3 storey houses in the area next to bungalow development
- Additional heavy highway considerations for all those living and using chesterfield road
- Greater flood risk for houses in drone valley and Unstone
- Drainage facility issues proposed on green belt next to Unstone farm
- Detrimental environmental impact on half-acre lane, Dronfield Nature Park and metapic woods.

- The appalling designs also currently show segregation of the affordable housing, even with a dedicated access road. These will be most visible and the first properties you will see on the way into Dronfield. They should be integrated and non-discernible from the other housing so this to me is a big design issue. Also the poor quality and style of the housing is appalling, as picked up within the design review. This will all impact housing; whether directly or indirectly (e.g increased odour issues, flooding, drainage). The first thing that those travelling into Dronfield will see is this unsightly development and first impressions last....

OFFICER COMMENTS:

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

2. SOURCE OF COMMENTS: Lauren Hewitt

DATE RECEIVED: 23/08/2024

SUMMARY:

On reviewing the revised plan there still seem to be issues with the distance and height of the planned property's in relation to Southfield mount. The developer still does not acknowledge the buildings on south field mount being significantly lower than the proposed field, the privacy of the properties on Burns Drive has been acknowledged and the distance between the property's made larger to accommodate privacy, this is a larger than the distance between the new property's and Southfield mount.

The houses on Southfield mount will continues to loose privacy and light with out the appropriate distance given as they are much lower then the current field.

The green corridor is broken up by planned properties and there is also minimal green space on the revised plan.

I feel that flooding is still an issue that has not been appropriately address as well as sewerage which continues to be an ongoing problem.

OFFICER COMMENTS:

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

3. SOURCE OF COMMENTS: Miss K Moore

DATE RECEIVED: 26/08/2024

SUMMARY:

I object to the above planning application on the following grounds:

1. Pre-application Community Engagement
2. Inadequate consideration of flood risk/need to consider sustainable drainage.
3. Design of Proposed Buildings not representative of local design traits

4. Inadequate assessment of Impact on Local Services
5. Handling of Foul Water at Yorkshire Water Waste Water Treatment Works(WWTW)
6. Layout and Design of the Development
7. Environment Impact, Biodiversity
8. Net Carbon Cost of the Development
9. Impact on Local Traffic Flow
10. Proposed Engineering Works on Green Belt Land
11. Lack of correlation with the existing Local Plan
12. Loss of Green belt land
13. Flooding and public transport delays

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

4. SOURCE OF COMMENTS: Louise Parker

DATE RECEIVED: 27/08/2024

SUMMARY:

I object to the above planning application on the following grounds:

1. Pre-application Community Engagement
2. Inadequate consideration of flood risk/need to consider sustainable drainage.
3. Design of Proposed Buildings not representative of local design traits
4. Inadequate assessment of Impact on Local Services
5. Handling of Foul Water at Yorkshire Water Waste Water Treatment Works(WWTW)
6. Layout and Design of the Development
7. Environment Impact, Biodiversity
8. Net Carbon Cost of the Development
9. Impact on Local Traffic Flow
10. Proposed Engineering Works on Green Belt Land
11. Lack of correlation with the existing Local Plan
12. Loss of Green belt land

OFFICER COMMENTS:

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

5. SOURCE OF COMMENTS: Cllr David Cheetham

DATE RECEIVED: 29/08/2024

SUMMARY:

I have been advised that under the new regulations I will not be able to speak or vote on this application at Tuesday's Planning Committee, as it sits within my ward of Dronfield South.

I would therefore like to advise that after careful consideration of the report, I am in favour of the officer's recommendation to refuse this application for the reasons given.

OFFICER COMMENTS:

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

6. SOURCE OF COMMENTS: Cllr William Jones

DATE RECEIVED: 29/08/2024

SUMMARY:

GATEWAY TO DRONFIELD:

An independent assessment of the revised application has been carried out by PJA, a professional advisor retained in an advisory capacity by NEDDC. In their supplementary review dated 16th August, '24, PJA identified 22 individual areas of the re-submission and scored each one red/amber/green. The scores were as follows:

Red 5 [22%], Amber 14 [64%], Green 3 [14%]

Amber is defined as "Some additional information provided or previous recommendations partially incorporated into updated proposals but concerns remain and further design development is required" The high amber %age is indicative of the reluctance of the developer to accept the status of the requirements of the LP + NPPF.

Referring to the PJA area designated 4, " Gateway to Dronfield/Frontage to Chesterfield road" we are concerned that no consideration has been given by PJA to Policy LC2, paragraph 3 of the Local Plan. This specifically makes reference that affordable houses "should be provided in a tenure neutral way in small groups or clusters distributed through the site" The solution offered by the developer is to have a site within a site approach whereby the 44 affordable units are provided in five [5] adjacent apartment blocks with a parking lot contained in the area to the rear of the blocks.

As a direct consequence :

- The return apartment building at the end of the arrangement of adjacent blocks gives a brutal edge to the interface with the adjacent Greenbelt area. This area is pasture and grassland abutting the Unstone farm and as such it has a rural aspect and therefore demands a more sensitive approach to the treatment of the common boundary.

- The barrack block appearance of the arrangement fronting the A61 in no way reflects the character, setting or culture of the Dronfield conurbation and gives travellers along the A61 a naive and brutal image of the town as a whole.
- The approach of providing a community based parking lot will potentially have all the attributes likely to result in anti social behaviour and does not integrate with the site as a whole. In addition there will be major difficulties in providing individually allocated EV charging points as required to meet the net zero target of the government.
- The streetscape along the A61 is further brutalised by the location of the SW pumping station in the immediate frontage next to the residual greenbelt.

The approach adopted to the design of the Gateway is naive, a poor design concept and lacks detailed consideration of the interface with the Dronfield conurbation. A site within a site is totally unacceptable.

REPORT TO COMMITTEE.

Para 4.21 : A Strategic Housing Market Assessment OAN Update 217 figure of 236 additional units of affordable houses per annum over the next 5 years is stated. No information is provided on the tenure breakdown of the figure of 236. "Affordable" housing can be broken down into three [3] specific areas : 1. Rented. 2. Shared Ownership. 3. Ownership. In finalising the discussions proposed in Para 7.19 the agreed division of affordable houses is an essential component.

Para 7.19 : It is noted that this para. gives tacit approval to the developer's approach to the provision of 30% affordable housing but states that the "specific mix and tenure of the affordable housing" has yet to be agreed with the developer. The scope of the agreement will have a fundamental impact on the design aspect of the Gateway. This agreement therefore needs to be struck **before** approval is given.

Para 7.33 : Some concerns are raised in respect to the creation of a new urban edge adjacent to the residual greenbelt but once again is silent on the unacceptability of the revised proposals comprising the Apartment blocks, [Gateway].

Para 7.61 : There is a specific reference that "issues with odour nuisance have been dealt with". It is noted that the developer has **declined** to carry out a longer term survey [aligned with input from YW] as opposed to the hour long sniff test carried out by their sub-consultant, Delta Simons, which was rejected as inadequate by the EHO. On his basis the EHO has not withdrawn their objection to the site being developed for residential use.

It is noteworthy that the odour issue became more prominent upon commissioning of the new ASP WwTW in 2020. An element of the new Works included a sludge thickening house and three [3] open topped primary and RAS sludge holding tanks !!

Para 7.76 : Reference is made to the LLFA's letter which states "no objection" to the SW element of the re-submission. The letter contains a specific reference to the

location of the attenuation tank in the adjacent greenbelt together with four [4] full pages of close typed Conditions mainly dealing with SuDS as applicable to the site. The PJA review, item 11, gives the re-submission an Amber designation in respect to SuDS, i.e. it is inadequate. The re-submission fails to meet the requirements of of Para 175 of the NPPF, and Policy SDC 11 of the LP.

Para 7.77 : States that” the proposed drainage strategy would not offer improvements on water quality”. This is perfectly correct but one must look at the wider context :

- YW are currently undertaking a £10M investment in the Dronfield WwTW for the chemical removal of phosphorus. This will reduce the oxygen depletion in the Drone and will result in the removal of the nutrients which drive algae growth in the watercourse. QED win win for the environment.
- The current SW proposal of a large attenuation tank is crude. It is a basic form of SW control and has paid no attention to improving the water quality via filtration, cleaning mechanisms etc. A more environmental form of SuDS will improve the water quality, apart from the benefits of attenuation, groundwater run-off control, biodiversity, BNG, etc. In essence a SuDS system would incorporate a filtering effect as the water moves through the rain gardens, bio-swales, tree pits, stilling areas, down to an open ground level pond **before** passing forward to the SW sewer in the Chesterfield road and thence to the Drone. In this way fines are filtered out and contaminants are removed by plant absorption and natural breakdown.

Consideration of these two mutually beneficial observations militates in favour of making agreement of a competent SuDS scheme a pre-requisite to approval.

Para 8.4 : Confirms the failure to demonstrate a competent SW drainage strategy but goes on to give this fact “limited weight against the proposal”. We find this analysis to be a double negative. As in para 7.77. above, agreement of an outline design, in scope and detail, for a formal SuDS scheme prior to approval should be a pre-requisite.

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

PARISH: North Wingfield

APPLICATION: 23/00382/FL

CASE OFFICER: Graeme Cooper

7. SOURCE OF COMMENTS: Applicants architect

DATE RECEIVED: 30/08/24

SUMMARY:

Agent comments on Officers Report

23/00382/FUL

Planning Committee 3rd September 2024

2.2 Access is via the existing access to the school site from Chesterfield Road and a small portion of land purchased from the WMC. Access to the site on Blacks Lane is via a private road (owners unknown) with a PRoW footpath. There is no right to access the site via this land with a vehicle.

2.3 The recreation site is classified as 'out of use' and is owned by Derbyshire County Council, leased by NWPC. Some of the allocated land is located within the safeguarded boundary of the adjacent primary school (and is therefore not able to be used as Recreation).

4.22 These figures are a misrepresentation of the figures noted in the Design & Access Statement of Brownfield/ Greenfield land (tables on p. 30). 1.69ha is all brownfield land on the site including areas within the recreation land which are developed (MUGA/ Skate Park/ play equipment/ tennis courts). The correct area of land on the former school site is 0.94ha. Thus the loss of recreation space to affordable housing is 13.6% ie 0.94 ha of 6.93 ha

4.23 A land assessment for alternative sites across the village has been submitted and is referenced in para. 7.37.

4.24 "The proposed provision does not provide a like-for-like replacement for all the lost recreation space." – Does it need to? We are providing improved quantity and quality of the existing facilities when they are moved. Ie an additional area of 677 m2 (or 89% larger) in addition to the enhanced quality of the equipment/facilities. There is a reduction in the quantity of recreation space, but evidence has been provided to show there is an excess of this type of land.

4.25 Is this referencing the original scheme or the current scheme? The current scheme provides 14 M4(2) units, 22% of the total units (also see 7.56 referencing M4(2) units).

4.26 Evidence of a deficiency of playing fields has not been provided, and Sport England cannot calculate this presumed deficit as their calculation relies on an up to date Playing Pitch Strategy, which NEDDC have not provided.

4.27 As above, evidence of deficiency to be provided.

4.31 The Noise Impact Assessment from our acoustic expert recommends a 1.8m barrier, not a 2.1m barrier. The higher barrier has not been discussed with us by NEDDC.

4.44 The scheme provides 37% of the annual affordable units required (172) across the whole of NEDDC.

4.40 Incorrect figures stated for both BNG and habitat units (figures shown relate to original submission only)

Habitat units = +2.53 units / 14.95%

Hedgerow units = +1.09 units / 248.41%

4.46 The Employment & Skills Officer raised no comment, but there is a recommended condition for a “training & employment condition” raised at 7.108 – why is this condition required? This condition has not been discussed with us and we have no knowledge of its contents.

4.66 Requests a monitoring fee of $2 \times £77 = £144$, but 7.26 requests one monitoring fee of £72. Clarity is required here.

4.71 The play area on the proposed site will be provided and maintained by NWPC, negating the need for additional contributions to other play areas within the village. None of these areas are provided or maintained by NEDDC and it is not understood why NEDDC are requesting s106 funds.

7.11 See comments on para. 4.22. We would like to clarify that the area outside the SDL is not wholly housing; only 0.94ha is housing, with some adjacent SuDs drainage serving both the housing and the pavilion and pitches.

7.12 The figure of 2ha of space lost when including fenced off landscaping and the SuDs pond has not been accurately measured from the drawings. The housing element on the Recreation land is 0.94ha, the fenced landscaping and SuDs are 0.68ha, totalling 1.62ha.

The SuDs pond is also to be used for drainage from the pitches and pavilion.

The landscaped areas add to the amenity and character of the area and therefore should be included in Recreation under Urban Green Space.

NWPC are ‘the applicant’ and will be providing the pitches and pavilion, therefore these will be provided by ‘the applicant’.

7.13 The replacement MUGA is the same size and improved quality from the existing provision. This has remained the same size as they are standard court sizes and cannot be increased in size.

The existing skate park is 761sqm, and the replacement is almost double that 89% larger, at 1438sqm, as well as being a qualitative improvement.

The existing play equipment is spread over a large grassed area, but the equipment itself is approx. 150sqm. The proposed replacement provides the equipment of a specialised ground surface suitable for the age of users and types of equipment and provides 350sqm (this excludes the outdoor gym equipment which is an additional 220sqm. A total of 570m² compared to 150m²).

7.15 The applicant has provided factual evidence to show the surplus of Recreation land in North Wingfield and the Council have not provided any evidence to suggest that this is not correct.

7.17 See 7.12 above regarding area calculations.

7.19 The site is 'out of service' and is also private land owned by Derbyshire County Council who may at any point chose to fence off and prevent any access to the site (other than the PRow), rendering the site permanently unusable, even if it is allocated.

The 2017 Recreation Research Report concludes there is not a deficit of grass pitches and therefore Sport England's objections on the basis of a deficit of pitches cannot be upheld as there is no recent data to prove otherwise.

7.22 As above, it has not been evidenced that there is a deficit of playing fields/pitches.

7.23 The applicant has provided evidence that the whole recreation site (over 7ha) is surplus to requirements.

7.26 See 4.66 above regarding monitoring fee

7.30 The applicant disputes the play space enhancements and 10 year monitoring costs as NWPC provide and maintain the play spaces in North Wingfield, not NEDDC.

Removing these figures from the total gives s106 contributions of £201,771 for health (GP's)/hospital and library contributions subject to earlier comments above ref 4.62 & 4.63 and the scheme is proposing to provide £500,000 in contributions to improve and provide the MUGA, skate park and play equipment.

7.40 Given the application provides 37% of the annual district wide affordable housing target (172 dwellings), should this proposal of 64 not be afforded significant/substantial weight in the planning balance, not "moderate"? The ultimate decision maker under T&CP 1990 s38(6) are the members of the planning committee and we request this is scrutinised and given further consideration.

7.53 The area of land adjacent the entrance and no. 38 Chesterfield Road is green space within the built form.

7.56 See 4.25 above regarding Lifetime Homes – the scheme provides 22% M4(2) units (14 units), not 9%.

7.68 All units meet the separation distances and garden area sizes.

7.69 Clarification on garden areas being disputed is requested. All areas meet or exceed the guidance and have been calculated using accurate CAD software.

7.70 The Noise Impact Assessment recommends a 1.8m acoustic barrier, not 2.1m

7.72 No positive aspects of the pitches and pavilion have been discussed, they have only been mentioned where there are negative comments to be made.

The pavilion is proposed to be overlooked by the new housing, providing passive surveillance, and the DOCO and applicant are content with a condition regarding CCTV and lighting.

7.90 Widening the footpath to form a multi-user path 3m wide has not been agreed with the applicant. It was agreed in the design meeting with the applicant, agent and planning officer on 30/07/24 and subsequent email correspondence that the footpath would remain a footpath at 2m wide. A 3m footpath has not been consulted on with the Ramblers Association or Peak and Northern Footpaths Society. It also would have limited impact as apart from the section of PRow diversion, the footpath at either end would remain at 2m in width.

7.108 See 4.46 above – the Employment & Skills Officer has raised no comment, and there are no comments online from the Officer to suggest they have recommended this condition and it has not been discussed with the applicant/agent.

8.1. 37% of the yearly affordable housing target (172 dwellings) surely weighs significantly /substantially in favour of the scheme? See previous comments above at 7.40.

8.2 Is this a planning matter? The housing is subject to other third party funding streams (Homes England/TGP) and may never be built ie. it is not guaranteed to be delivered. NWPC are ‘the applicant’ and the Sports Pavilion & associated grass pitches and car park are their “Vision 2020” in conjunction with the Football Foundation/ FA as third party funders. In all situations, without planning approval granted funding cannot be secured to ‘guarantee’ delivery.

8.3 We believe Sport England are a non-statutory consultee, as the recreation area was ‘out of service’ in 2017 and there were no sports pitches in use or marked out on site for the 8 years prior to the planning application (a minimum of 5 years is the threshold for statutory consultation) and therefore their objection does not hold substantial weight against the scheme.

9.1 As above, 2ha is incorrect. Based on the Planning Officers parcels of land, the total is 1.62ha, although we believe that the affected area is only 0.94ha.

OFFICER COMMENTS:

The comments received are noted and have the following response to the key points raised:

4.22 & 4.24 These comments do not form part of the officer assessment.

4.23 This matter is already covered in the officer report to planning committee.

4.25 & 7.56 Officers confirm that the proposed development would provide 14 units (21%) which would be lifetime homes which are M4(2) compliant. This would accord with Local Plan policy LC4 and can be controlled by way of condition if members were minded to grant permission. References in the officer report to 9% were based on a previous layout and not on the current proposal.

4.31 & 7.70 The Councils EHO requested an acoustic barrier of 2.1m and not 1.8m as put forward by the applicant. If members are minded to grant permission then this matter could be resolved accordingly.

4.40 DWT in comments provided on 17/01/24 confirmed that they *“have reviewed the additional information relating to this application including the revised plans and updated BNG calculation which shows a small change in both habitat units and hedgerow units. Although there is a slight reduction in the hedgerow units post-development the proposed creation of hedgerows will still provide a 248.41% increase in Hedgerow units.”*

4.46 & 7.108 The Employment and Skills Officer requested the training and employment condition on 24/10/24. This is in line with other requests made for major developments in North East Derbyshire. Officers have not discussed this and some other conditions due to the recommendation to refuse the application. However, if planning committee are minded to approve the application then any pre-commencement conditions would need to be agreed with the applicant.

4.66 If members are minded to grant permission then this matter relating to the monitoring fee requests of DCC can be clarified.

4.71 The request for additional funding would normally be required to ensure the relevant play areas are properly maintained and not at the additional expense of the relevant body, in this case the Parish Council. It is considered appropriate that this contribution is requested and the applicant’s unwillingness or inability to pay it weighs against the scheme as set out in the Officer report. Officers note that these facilities would be maintained by the Parish Council and as such the parks team contribution request would not be upheld.

7.12 Officers note that the developable area is approx. 0.94ha, fenced off landscaping and SuDS approx. 0.7ha. However, there is an area of wildflower planting which is not fenced off but forms part of the wider BNG calculation and is approx. 0.4ha in size. As such the likely figure lost from the allocated recreation area is somewhere between 1.6ha and 2ha.

7.30 Adding into the above, Local Plan policy ID10 requires all new development of 50+ homes to provide on-site provision. The proposal should therefore, as a minimum, seek to provide new open space, sports and recreation facilities. The scheme as it stands replaces with upgraded MUGA, skate park and play space facilities. Officers note that these facilities would be maintained by the Parish Council but their ongoing maintenance is required to make the development acceptable. It is therefore considered appropriate to require this contribution.

7.40 The applicants comments are noted, but the officer recommendation and view stands.

7.69 Noted. Officers accept that the garden sizes accord with the Successful Places Guidance.

7.72 Comments noted. No further comments as there are no guarantees that these elements of the scheme will be provided if permission is granted.

7.90 Discussions did occur between officers and the applicant and it was accepted that the footpath around the application site would be retained at 2m wide.

8.3 Sport England consider themselves to be a statutory consultee and have objected to the proposal and this weighs against the scheme. Officers agree with this conclusion.

9.1 The Officer report to members states that approx. 2ha of the formal recreation site would be lost to the proposed development, SuDS and landscaping areas. Officers agree that the final figure is closer to 1.6ha that would be lost to the developable area, SuDS and fenced off areas of planting, but this figure excludes an area of approx. 0.4ha which would be laid to wildflower. As such the likely figure lost from the allocated recreation area is somewhere between 1.6ha and 2ha.