

PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 3 SEPTEMBER 2024

Present:

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

Councillor Neil Baker
Councillor Stephen Clough
Councillor Christine Gare
Councillor Fran Petersen
Councillor Kathy Rouse

Councillor David Cheetham
Councillor Andrew Cooper
Councillor David Hancock
Councillor Carolyn Renwick

Also Present:

D Thompson	Assistant Director of Planning
A Kirkham	Planning Manager - Development Management
G Cooper	Principal Planning Officer
K Hallam	Senior Planning Officer
A Jafri	Planning Solicitor
A Maher	Governance Manager
T Fuller	Governance Officer
T Bamford	Civic Administration Assistant

PLA/ Apologies for Absence and Substitutions

8/24-

25 Councillors P Elliot, substituted by S Clough, M Foster, substituted by C Renwick. W Jones, substituted by N Baker.

PLA/ Declarations of Interest

9/24-

25 Councillor D Cheetham declared an interest in Item 5 of the agenda, NED/23/00923 – DRONFIELD, as a Local Ward Member. He indicated that he would leave the meeting at the appropriate time and would not participate in the Committee's consideration or determination of the Application.

PLA/ Declaration of Predetermination

10/2

4-25 None.

PLA/ Minutes of the Last Meeting

11/2

4-25 RESOLVED –

That the minutes of the meeting held on 18 June 2024 were approved as a true record.

PLA/ NED/23/00932/FL - DRONFIELD

12/2

4-25 Councillor D Cheetham left the meeting at this point.

The report to Committee explained that an Application had been submitted for the residential development of 130 dwellings, with highways landscaping and associated works, at land to the north of Burns Drive, on the south side of Chesterfield Road, Dronfield. The Application had been referred to Committee by Local Ward Member, Councillor W Jones, who had raised concerns about it. The Planning Manager (Development Management) also considered the Application of strategic importance which he felt should be determined on by Planning Committee.

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

Officers felt that although the site had been identified for development in the Local Plan, the proposals in the Application would not reach the standards of good design which would be appropriate to the character and function of the Dronfield settlement. They contended that the development would not respect the local character of the area. It would neither preserve nor enhance the quality and local identity of existing communities and their surroundings.

The report also raised concern about the proposal to locate the Attenuation Tanks for the development on Green Belt land adjacent to the site for the main development. Officers contended that the proposal had not demonstrated that very special circumstances exist to justify the tanks' location. Furthermore, the proposal would fail to meet its obligation to improve the remaining Green Belt land. The proposed measures would not provide sufficient improvements to environmental quality or accessibility of the remaining Green Belt land to offset the loss because of the scheme.

In addition, officers felt that the Application did not include sufficient plans for adequately managing surface water on site. The proposal fell short of demonstrating that surface water could be effectively managed through sustainable urban drainage systems in perpetuity. Moreover, there would be too much reliance on small scale measures, including the use of individual gardens.

Finally, the report contended that the proposed development would create an unacceptable relationship between existing properties on Burns Drive and the proposed dwellings along the southern boundary of the site. The existing properties and the new dwellings would be in close proximity to each other, consequently, the development would fail to protect the amenity of both existing residents and future occupiers of the new dwellings.

Officers concluded that the scheme would not be acceptable in its current form. They felt that the development would not represent an acceptable form of design, it would not adequately compensate for the loss of Green Belt land (as required by the relevant Local Plan policy), nor adequately protect the amenity of existing and future occupiers. They recommended, therefore, that the Application be refused.

Before the Committee considered the application it heard from Local Ward Member Councillor W Jones, Councillor A Dale, representing Dronfield Town Council, S Hallett, M Hanrahan and S Hemsley who spoke against the application. It also heard from the Agent, M Edgar, who spoke in support of the Application.

Committee considered the Application. It took into account the location of the site, its significance as the gateway to Dronfield and the potential harm to adjacent green belt land. It considered the relevant Local and National Planning Policies. These included Local Plan Policy LC1 on green belt development, paragraph 175 of the National Planning Policy Framework concerning sustainable urban drainage and Local Plan Policy SDC12(e) concerning the amenity of existing and future occupiers. Committee also considered guidance set out in "Successful Places" that details how designs should consider local characteristics and context.

Members discussed the Application. As part of this, they reflected on the concerns which had been raised about proximity of the development to a water treatment plant and the possible odour nuisance this might create. Some members expressed concern about the design of the development and its likely impact on the surrounding area. It was noted that the site was allocated for development in the Local Plan, but this confirmed only that the broad principle of housing was appropriate on this site, with the details of how a development would be achieved to be assessed at the application stage. Members considered the location of the site to be a gateway into Dronfield, as such careful consideration needed to be paid to the composition of any development. In this context, they supported the officer recommendations to reject the Application and their conclusion that the development would not reflect or enhance the character of the local area.

At the conclusion of the discussion Councillor C Renwick and Councillor D Hancock moved and seconded a Motion to refuse the Application. The Motion was put to a vote and approved.

RESOLVED –

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

That the final wording of the reasons for refusal be delegated to the Planning Manager (Development Management).

Reasons

1. The application site is sited in a prominent, hillside position and would form the new gateway to Dronfield. By virtue of the overall design, in particular the layout, street design, car parking arrangements, landscape strategy, inclusion of SUDS within the design of the site, and connections with the wider area, the proposal fails to achieve good design, that is appropriate in scale, design and location to the character and function of the settlement; and which responds positively to local character and context to preserve and, where possible, enhance the quality and local identity of existing communities and their surroundings. As such, to grant permission would be contrary to the NPPF, when read as a whole, Local

Plan Policies SS1, SS7, SDC3, SDC11, SDC12, Neighbourhood Plan Policy ENV2 & D3 and guidance set out in Successful Places.

2. Local Plan Policy LC1 outlines that in order to offset the effect of removing land from the Green Belt of allocated sites in the Local Plan (Ref: DR1), compensatory improvements to the environmental quality or accessibility of the remaining Green Belt land will be required where appropriate. The measures put forward in this case as the compensation are considered necessary requirements to make the development itself acceptable and cannot be 'doubled up' for use as compensatory improvements. Furthermore, the majority of the measures put forward are not within the remaining Green Belt land as required by policy LC1. As such, the proposed measures do not provide sufficient improvements to the environmental quality or accessibility of the remaining Green Belt and so the proposal is considered contrary to Local Plan Policy LC1.

3. Policy SDC12(e) sets out the requirement for new developments to protect the amenity of existing occupiers and create a good quality of amenity for future occupants of land or buildings including in relation to privacy, overlooking, overshadowing and/or any overbearing impacts. Furthermore, policy D3 of the Dronfield NP states that proposal must reflect certain design principles, such as making good use of the site characteristics and its surroundings and should not adversely impact on general amenity. In addition, Successful Places sets out that proposals should not cause a loss of daylight, overshadowing or create overbearing relationships between buildings where this would be detrimental to residential amenity. The proposed development creates an unacceptable relationship between the existing properties on Burns Drive, and their gardens, and the proposed dwellings, and their gardens along the southern boundary of the site. The Council's "Successful Places" design guidance recommends a minimum separation distance of 21m between the rear elevations of two dwellings directly facing one another. Whilst the separation distances between the rear elevation of the existing dwellings on Burns Drive and the proposed dwellings are achieved, when measured from the rear gardens and raised terraces, the relationship is below the 21m and has a poor vertical relationship such that overlooking will take place into both amenity areas and dwellings. Specifically plots 41, 42, 43, 49 & 50 are affected by the relationship. The relationship created therefore fails to protect existing and future occupiers and is considered contrary to the requirements of Local Plan policy SDC12(e), Neighbourhood Plan policy D3, "Successful Places" and the NPPF, when read as a whole...

PLA/ NED/23/00877/FL - WINGERWORTH

13/2

4-25

Councillor D Cheetham returned to the meeting at this point.

The Chair of the Committee informed Members that he had agreed to defer Item 6 on the Agenda, NED/23/00877/FL – WINGERWORTH. He had done this on the advice of officers, to enable further work to take place. The Assistant Director of Planning and the Planning Manager (Development Management) clarified that the deferral followed on from the request of the Applicant to address the various outstanding matters relating to the Application.

PLA/ NED/23/00382/FL - NORTH WINGFIELD

14/2

4-25

The report to Committee explained that an Application had been submitted for the residential development of 64 dwellings with associated parking, landscaping and Sustainable Urban Drainage system, Community sports pavilion, outdoor seating areas, storage and parking provision. Community play equipment and outdoor gym equipment, 3 full size football pitches, new Multi-Use Games Area & skate-park. Landscaping and tree planting to recreational green space. At land south of 38 Chesterfield Road, North Wingfield. The Application had been referred to committee by Local Ward Member, Councillor N Barker, due to the significance of the site.

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

Officers accepted that there was a proven need for the proposed affordable accommodation in the local area. They also accepted that the design of the scheme would be broadly acceptable and would, with suitable conditions, adequately protect the amenity of both existing and future occupants.

However, the Application also included proposals to improve the quality of the recreation facilities, with the construction of a new sports pavilion, football pitches and car park. The funding for this construction had not yet been secured by the Parish Council, who are proposing to provide this. Officers were concerned that unless this funding was secured there could be no guarantee that these facilities would ever come forward. Without this guarantee they determined that the Development would result in the loss of 2 hectares of recreation space contrary to the Local Plan. The loss of recreation space was also objected to by Sports England. Additionally, the viability of the proposal to make the financial contributions sought under a Section 106 agreement was seen as insufficient. This meant that the development would be unable to mitigate for the harm caused to existing infrastructure and facilities.

Officers concluded that the loss of recreation provision and social mitigation deficit would outweigh the benefits arising from the provision of 64 affordable housing units. They recommended, therefore, that the application be refused.

Before the Committee considered the application it heard from the Chair of North Wingfield Parish Council, Councillor N Barker, who spoke in favour of the Application and H Watton who spoke against it. It also heard from the Applicant, A Hutton, and the Agent, M Jermy.

Committee considered the application. It took into account the need for affordable housing for rent in the area, as well as the proportion of the development on brownfield land. It considered the relevant Local and National Planning Policies. These included Local Plan Policy LC3 concerning affordable housing development in the countryside, Local Plan Policy ID10 concerning the provision of recreational space, and Local Plan Policy ID1 concerning the mitigation of harm caused to infrastructure and facilities. Committee also considered the extent to which the current recreational space is 'out of service'.

Members discussed the application. Committee welcomed the proposed quality of affordable housing, especially due the current demand in the North Wingfield area. Some Members supported the proposed improvements to the recreational facilities but regretted that the funding for these facilities had not been secured.

Some Members felt that it might be appropriate to defer the Application for an additional period, so that further discussions could take place to address the funding issues. Officers explained that considerable discussion had already taken place around this, but that no further progress had been possible at that time. With the agreement of the Chair, Committee recessed for a short break so that the Applicant (GEDA, Guinness Homes and Parish Council representative) and planning agent could discuss possible amendments to the delivery of the scheme which would enable the outstanding issues around the Application to be addressed or whether there would be grounds for deferral. When the Committee resumed the Assistant Director of Planning reported that the position of the Applicant remained unchanged. Consequently, there would be no grounds for a deferral.

At the conclusion of the discussion Councillor D Hancock and Councillor S Clough moved and seconded a Motion to approve the application. The motion was put to a vote and agreed.

RESOLVED –

That the Application be approved, contrary to officer recommendations.

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

Reasons

The benefit to the area of the additional affordable Housing that would be provided under the application.

The improved recreational facilities that would be provided for the area under the application.

PLA/ Planning Appeals - Lodged and Determined

15/2

4-25

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

PLA/ Matters of Urgency

16/2

4-25

None.