

PLANNING COMMITTEE – 18 FEBRUARY 2025

Reference Number: 22/00387/OL

Application expiry: 20/2/2025

Application Type: Outline (all matters reserved).

Proposal Description: Hotel, public house, wedding venue and early years nursery (Major Development)

At: Land North East of Allotments, Williamthorpe Road, North Wingfield.

For: Williamthorpe Regeneration

Third Party Reps: Objection (1no.)

Parish: North Wingfield

Ward: North Wingfield Central

Report Author: Susan Wraith (4PD)

Date of Report: 07/02/2025

MAIN RECOMMENDATION: Refuse



Figure 1: Location Plan (Application site edged red)

1.0 Reason for Report

- 1.1 The application has been called in by Councillor Stone for Planning Committee consideration. The reason given for the “call-in” is as follows:

The venue would be a huge boost to the local economy and employment opportunities and would provide needed hospitality services in an area where there has been much new housing.

2.0 Site and Surroundings

- 2.1 The application site is part of the wider Williamthorpe Fields housing development which was granted outline planning permission in 2016 (14/01290/OL) with a s73 variation permission granted in 2019 (17/00269/FL).
- 2.2 The application site covers much of the land parcel known as “Plot 7” of Williamthorpe Fields. Under conditions 2 and 26 of the planning permission, Plot 7 (the application site) should be laid out as a football pitch with ancillary changing facilities (see figure 2 below), and with a management and maintenance plan in place, before 95% of the dwellings (on the wider site) are first occupied. Had on-site provision not been proposed, a s106 contribution towards sports and open space provision would have otherwise been required.



Figure 2: Showing plot 7 as a football pitch as should be provided under planning permission 17/00269/FL.

- 2.3 Williamthorpe Fields is an allocated housing site [allocation HO1] in the North East Derbyshire Local Plan [Local Plan]. The Local Plan expected that the allocation would deliver approximately 220 new dwellings within the plan period with an expected total capacity of up to 540 new dwellings. The explanatory text to HO1, at para 5.36 of the Local Plan, states that the design and layout should facilitate intermittent long-distance views across the development to the countryside and also states:

The design and layout should also protect the perceived sense of separation between the two historically separate settlements of Holmewood and North Wingfield and not give rise to further coalescence.

- 2.4 Much of Williamthorpe Fields has now been built out delivering some 425 new dwellings in total, including specialist and affordable housing, together with retail units. This is beyond the number predicted for the plan period but less than the expected total capacity.
- 2.5 The football pitch to be provided as part of the Williamthorpe Fields development was accounted for in the Council's Playing Pitch Strategy 2017 and, until such time as any update shows otherwise, is considered to be part of the supply that is required to meet playing pitch needs within the district.
- 2.6 As well as meeting the "sport" requirement for the development and the playing pitch need in the district, the "on site" football pitch would also serve the purpose of maintaining a distinct gap between the settlements of Holmewood and North Wingfield as was intended, and is explained, in the Local Plan text (para 5.36) that supports the allocation.
- 2.7 The site is within the settlement development limit of Holmewood where it adjoins allotments and countryside, and the settlement development limit of North Wingfield which just encompasses the frontage ribbon of properties, as shown in the extract from the Local Plan proposals map below.

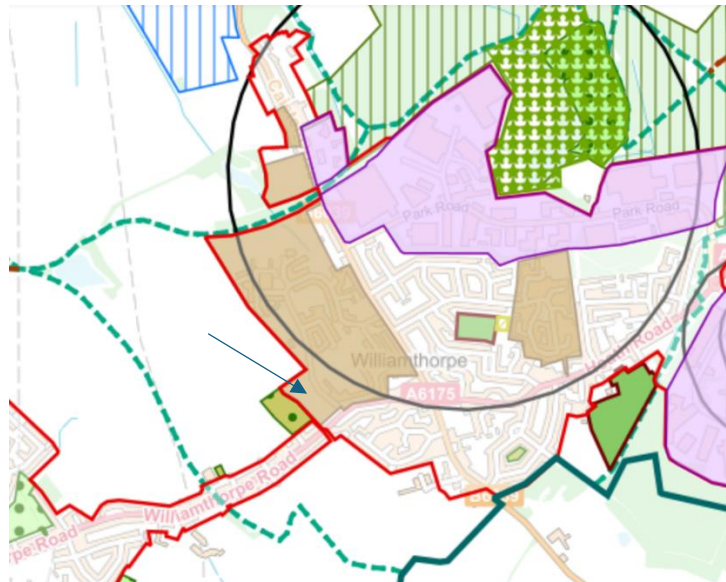


Figure 3: Extract from Local Plan Proposals Map.

- 2.8 The landscape character type is that of Coalfield Village Farmlands within the Nottinghamshire, Derbyshire and Yorkshire Coalfield character area. The immediate landscape and setting is typical of the landscape character type, it being a settled landscape with the settlements of Holmewood and North Wingfield being on ridge lines surrounded by farmland and expanded by

terraced housing to road frontages in the form of ribbon development.

- 2.9 Plot 7 (of which the application site forms part) presently remains in an undeveloped condition having the appearance of a serviced development plot. It was formerly part of an agricultural field and therefore does not have the status of previously developed land.

3.0 Proposal

- 3.1 Outline planning permission (all matters reserved) is sought. It is proposed to develop the site (part of plot 7) as a hotel, wedding venue, public house, restaurant, car parking for 100 cars and early years nursery. The layout is indicatively shown in Figure 4 below.



Figure 4: Indicative Site Layout (red land) also showing MUGAs on land outside the application site (blue land)

- 3.2 The application plan showed 2no. multi-use games areas [MUGAs] on land at the frontage (outside of the application site but within land owned/controlled by the applicant edged blue). The MUGAs, in themselves, would have required planning permission but are no longer being pursued.
- 3.3 Later in the application process another plan was provided which replaced the MUGAs with a junior football pitch (see figure 5 below). The plan, which encompassed the junior pitch within the red line and purported to seek permission for it, could not be dealt with as a revised plan under the application

without the necessary additional application fee being paid to cover the enlarged site area and the additional component of the development being applied for. It would then have been necessary to undertake full publicity and consultation, as though starting the application again from scratch, to ensure due process was followed. The plan did not overcome officers' concerns about the original submission and has not been accepted as an amended application plan at this stage. It is therefore, **not** for consideration here.



Figure 5: Informal plan covering the whole of plot 7 and including a junior football pitch.

3.4 The application is otherwise accompanied by the following supporting information:

- Design and Access Statement
- Planning Statement
- Transport Statement
- Geotechnical Site Investigation Report
- Coal Mining Risk Assessment and Land Stability Report
- Technical Note – Drainage Strategy (submitted July 2022)
- Technical Note – Landscape Review (submitted July 2024)
- Development Needs Assessment (submitted July 2024)
- Biodiversity Net Gain Summary Report and calculation (submitted October 2024).

4.0 Other Background

4.1 A main issue throughout this application process has concerned the loss of an intended football pitch that is required under the conditions of the Williamthorpe Fields permission to meet the sport and recreation needs of the housing development. Failure to provide the football pitch would breach planning conditions 2 and 26 of 17/00269/FL. A s73 application would be needed to address the variation of conditions directly although, to date, one has not been

submitted.

- 4.2 This current application cannot, itself, vary the conditions. Nevertheless, a main consideration in its determination is around this issue. To accord with policy and guidance, it should be shown that alternative sports provision can be made to meet the needs of the Williamthorpe Fields development that is (at least) equivalent to that being lost in terms of quality and quantity.
- 4.3 A junior pitch is proposed as an alternative facility. Notwithstanding that, the proposal, at this point, is only “informal”, but consultation with Sport England¹ has been undertaken. Sport England consider that the evidence for a junior pitch is insufficiently robust and that loss of the full size pitch is unjustified. Sport England maintain their objection to the proposal.
- 4.4 Another main issue relates to the erosion of the gap between the settlements of Holmewood and North Wingfield which the Local Plan intends should be protected. The Council’s landscape consultant has advised that there would be adverse landscape and visual harm arising from the proposal.
- 4.5 The proposal (in its latest “informal” form) has also been considered by an independent urban design specialist². In addition to issues concerning the principle of major development in this gap, the advice raises a number of other design concerns (set out in para 5.14 below).
- 4.6 The applicant has been offered opportunity to provide further evidence to support the application. However, the applicant has declined to provide any further information and has asked that a decision is made on the basis of what has been submitted so far.

5.0 Consultations

- 5.1 Ward Councillor – Councillor Stone (Heath and Holmewood Councillor) commented that the venue would be a huge boost to the local economy and employment opportunities and would provide needed hospitality services in an area where there has been much new housing.
- 5.2 Holmewood Parish Council – No comments received.
- 5.3 North Wingfield Parish Council – Supports the application.
- 5.4 NEDDC Environmental Health – No objections subject to a sound assessment and scheme for mitigating sound emissions.

¹ Sport England is a statutory consultee on any development proposal that is “likely to prejudice the use of land being used as a playing field” [Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Schedule 4].

² Design Surgeries, facilitated by Design Midlands Ltd, are held periodically with the Council’s planning officers. The surgeries provide an opportunity for planning officers to discuss with, and seek advice from, independent design experts on applications and proposals that present design issues and challenges.

- 5.5 NEDDC Streetscene – A waste management scheme is encouraged.
- 5.6 DCC Highways Authority – Requests conditions to cover construction method statement, details of access, visibility splays, sight lines etc, provision of parking, passenger pick up/drop off, loading/unloading, manoeuvring, arrangements, cycle parking and travel plan.
- 5.7 DCC Flood Team – Holding objection, further information is needed on the surface water drainage strategy.
- 5.8 Sport England (SE) – Objects - commented that no justification had been provided for replacement of the football pitch with 2no. MUGAs. On consideration of the applicant's informal "junior pitch" proposal and Development Needs Assessment [DNA] commented that no sports turf agrimony or ball trajectory risk assessment has been provided to show how the pitch would be delivered, that the DNA does not follow Sport England guidance as set out in the National Planning Practice Guidance and that no consultation with the National Governing Body had been undertaken. SE also comment that the DNA falls short in a number of other respects. The information submitted is insufficient to justify the reduction in space for sports provision. A robust DNA should be prepared in line with guidance.
- 5.9 Coal Authority – At first objected but, on receipt of further information, withdrew its objection and is now satisfied that the site is stable and safe for development subject to foundation design which is a Building Regulations matter.
- 5.10 Police – No objections. Will comment further when detailed plans are received.
- 5.11 Yorkshire Water – Requests conditions to require details of surface and foul water drainage.
- 5.12 Derbyshire Wildlife Trust – Advise retention and protection of hedgerow that borders the allotments. A biodiverse planting scheme and bat and bird boxes should be incorporated in the design.
- 5.13 Landscape Consultant – Advised that the development would be likely to have moderate adverse effects upon landscape character and visual amenity.
- 5.14 Independent expert design advice – Acknowledges that, in principle, development within the gap may not be acceptable. If development is to proceed consideration should be given to the following:
- 1) In the proposed layout, buildings are dispersed rather than sitting well together and present a collection of unrelated buildings/structures (function before form);
 - 2) Consider re-locating built development to the Williamthorpe Road frontage;

- 3) Consider a more consolidated form, taller and less dispersed. This would help maintain the gap;
- 4) The hotel as proposed would present a hard countryside edge;
- 5) The hotel/wedding venue entrance will appear incongruous and prominent;
- 6) The nursery building appears not to present an active frontage to the road;
- 7) Consider whether there will be sufficient car parking;
- 8) The hotel/restaurant design is highway/road entrance led and is not design led;
- 9) There is no outdoor play space for the nursery;
- 10) How will any football activity be contained on the pitch? Will fencing be needed?
- 11) There is poor pedestrian access to the site.

6.0 Public Comments

- 6.1 1no. objection has been received commenting that there is no need for any more nursery facilities in the area.

7.0 Planning Policy Considerations

- 7.1 The following policies of the **Local Plan** are considered relevant to the application:

SS1: Sustainable Development

SS2: Spatial Strategy and the Distribution of Development

LC1: Housing Allocations

SDC3: Landscape Character

SDC4: Biodiversity and Geodiversity

SDC12: High Quality Design and Place-Making

SDC14: Land potentially affected by Contamination or Instability

WC5: Visitor and Tourism Development

ID1: Infrastructure

ID3: Sustainable Travel

ID10: Open Space, Sports and Recreation Facilities

- 7.2 The **National Planning Policy Framework (NPPF)** is also material to the determination of this application, in particular:

Chapter 6: Promoting healthy and safe communities

Chapter 12: Achieving well-designed places

Chapter 15: Conserving and enhancing the natural environment

8.0 Planning Issues

Main Issues

- 8.1 The main issues for consideration in this application are:

- 1) Whether the proposal is in accordance with the spatial strategy;
- 2) Effect upon meeting the needs for sports provision;
- 3) Effect upon landscape character and appearance and maintaining a settlement gap.

Spatial Strategy

- 8.2 The site is located within the Williamthorpe Fields housing allocation HO1. Local Plan policy LC1 seeks to safeguard the housing allocation sites for housing development in order to deliver the housing requirements set out in the spatial strategy and the infrastructure that supports them.
- 8.3 The proposed commercial development does not serve the purpose of safeguarding the land for housing and its related infrastructure. In fact, it uses land that is intended for green infrastructure as a needed part of the housing development. Therefore, it does not accord with policy LC1 or the spatial strategy.

Sports Needs

- 8.4 The development would result in the loss of a football pitch required to be provided under the Williamthorpe Fields planning permission. The sports needs of the occupants of Williamthorpe Fields would not be met. The Council's Playing Pitch Strategy and Action Plan (May 2017) [PPS] plans for the delivery of this pitch as part of the strategy for meeting future demands for adult pitches in the eastern sub area and District as a whole. However, the PPS relies on evidence gathered some circa 8 years ago. Circumstances could have changed in the meantime and the PPS is due to be reviewed and updated in the near future. It is therefore acknowledged that alternative proposals could be considered if justified by up-to-date evidence. During the application process discussions with the applicant have touched upon the possibility of improvements or works to other pitches in the locality secured through s106³. However, such suggestions have not been pursued and, instead, a proposal for a junior pitch (of size suitable for u10s and u9s) has been put forward for the remainder of the plot 7 land.
- 8.5 The alternative proposal for a junior pitch cannot be fully considered as it is not comprised in this, or any other, planning application and has not been subject to full publicity and consultation. The applicant's Development Needs Assessment says that, based on the 2017 position, there was need for further junior pitches. However, no up-to-date Sports Needs evidence has been provided and neither is there any evidence of any up-to-date consultation with football's governing body. Nor has it been explained how the pitch would be brought into use, managed and maintained going forward. The replacement of a full size pitch with a junior pitch, in terms of quantity, is a deficit of sport provision and Sport England maintain an objection.

- 8.6 Even if a junior pitch was considered to be acceptable in principle, without a

³ The closest existing adult pitches include Old Colliery Lane (2no), Searston Avenue (1no.), King George's Playing Fields (2no) and Station Road (1no.).

planning application for it there would be no mechanism to secure its delivery and the matter of the variation of conditions 2 and 26 of 17/00269/FL would still need to be addressed.

- 8.7 In all these circumstances it is considered that the proposal for a junior pitch cannot be relied upon and, in any event, is inadequate. In the absence of any reliable, deliverable and equivalent alternative, the development would be harmful to the interests of securing adequate sport and recreation provision within the district as it would be inconsistent with the provision of a full-size pitch that is already required under conditions of an earlier planning permission. This consideration weighs against the proposal.

Effect upon Landscape Character and Appearance and Settlement Gap

- 8.8 Plot 7 is the only remaining parcel of land that separates Holmewood and North Wingfield. The Council has considered the retention of the gap to be important, as recognised in the Local Plan text. The development would be seen as an extension of the built form resulting in a sense of coalescence of the settlements and would dilute their identity.
- 8.9 The applicant's landscape report argues that the two settlements have already merged by the ribbon of development along Williamthorpe Road, and that the development site is an "infill plot". However, the gap is of some width and depth (not an infill plot) across which there are a range of long-distance valued views to the north and north west. The development would be of elongated form, being a combination of pavilion buildings, complex roof formations and outdoor areas, that would spread across the localised ridge and which would curtail/foreshorten the existing long distance views to the detriment of landscape character and local distinctiveness.
- 8.10 The Council commissioned a report from a landscape consultant which has examined the landscape and visual effects from a number of viewpoints. The report concluded that the development would result in moderate adverse effects upon landscape character and visual amenity and that it is desirable that the long-distance views be preserved and that the gap be retained.
- 8.11 On this issue, therefore, it is considered that the development would erode the gap between the settlements which it is important to retain and would result in landscape and visual harm. These considerations weigh against the development.
- 8.12 Whilst the urban design advice may have been to continue the ribbon form of development by positioning buildings on the site frontage, this would have caused tension with the landscape impact and was therefore not considered a viable option when balancing the competing considerations.

Other Issues

- 8.13 The development would have some economic and social benefits, claimed by the applicant to be "significant". There is no financial quantification provided

of the financial benefits, but it can reasonably be assumed that there could be some job opportunities for local people and that the wider local economy could benefit through some secondary spend. There would be local social benefit from the nursery facility. The PH/restaurant would provide an eating, drinking and meeting place for local people as well as being a venue for destination visitors coming from outside the area. These are considerations that can carry weight in favour of the proposal.

- 8.14 The development would, in part, be a visitor and tourism development. Whilst policy WC5 is generally supportive of developments that enhance the district's tourism offer it expects that proposals will (amongst other things) respect local landscape character and the site's location. On both these counts, in the professional opinion of officers and the relevant technical consultees, the development fails. WC5 does not indicate in the development's favour in these circumstances.
- 8.15 There is no statutory requirement for Biodiversity Net Gain [BNG] as the application was submitted prior to the provisions coming into force. Notwithstanding this, a BNG metric has been provided which indicates net gain can be achieved through on-site planting and other measures.
- 8.16 The Transport Statement found no highway safety issues or severe residual cumulative impacts. Any technical issues relating to flood risk and drainage could likely be overcome. These matters together with the requirements for landscaping, habitat measures, and for the handling of waste/recycling could be covered by planning conditions. They are not main issues for the decision and so neutral in the balance.
- 8.17 The site is some distance from neighbouring residential properties, separated from the residential parts of Williamthorpe Fields by the distributor road and a landscaped strip. Residential properties to the south side of Williamthorpe Road are set well back and are some distance from the proposed development site. To the north side of Williamthorpe Road a row of properties are positioned to the frontage but also some distance from where the development is proposed to take place. The site abuts countryside to the north west and allotments to the south west. The Environmental Health Officer has not objected in principle to the development on amenity grounds and has suggested a noise mitigation condition. In all these circumstances it is considered that there would be no unreasonable effects upon the living conditions of neighbours arising from the development and that any effects upon amenity could be reasonably controlled through the imposition of planning conditions.
- 8.18 The original planning permission for Williamthorpe Fields (14/01290/OL) had "public house/restaurant" in its title together with housing, commercial units and leisure space. The facility was indicatively shown centrally positioned within the housing development and not within the open space area. In the event, the PH/restaurant was not pursued and was replaced by housing. The earlier decision, which permitted a PH/restaurant, was made under different local and national planning policies. The planning permission is now time

expired. In all these circumstances this earlier permission carries no weight in favour of, and is of no relevance to, the current proposal.

- 8.19 There is no evidence of a sequential approach to site selection although “town centre uses” are being proposed. However, Clay Cross town centre is of some distance away and the development is of limited scale. The development is unlikely to affect the retail hierarchy or the vibrancy and economic health of Clay Cross at this distance. This is a neutral consideration in the planning balance.

Planning balance and conclusion

- 8.20 The development would result in harm to the interests of sports provision for the residents of Williamthorpe Fields and wider area and would use land that is safeguarded for the needs of the housing development, specifically for sports provision needs. Additionally, being major development in the gap between Holmewood and North Wingfield, it would erode the gap, dilute the separate identities of the settlements and result in visual and landscape harm. These considerations, in the view of officers, weigh heavily against the proposal which is a proposal that is contrary to the development plan.
- 8.21 On the other side of the balance, there would be some economic and social benefits. However, there is no evidence of actual need for this type of commercial development in this location and neither are the benefits quantified. Officers consider that no more than limited weight should be afforded and that these benefits would not outweigh the harm to sports provision and landscape harm that carry the full force of the development plan.
- 8.22 The development would be contrary to the development plan read as a whole. There are no considerations that indicate a decision that does not accord with the development plan.
- 8.23 It is therefore concluded that the application should be refused.

9.0 Recommendation

- 9.1 It is recommended that the application be REFUSED for the following reasons:
- 1) The development would result in the loss of a football pitch facility required under the conditions of planning permission 17/00269/FL to meet the needs for sports provision arising from the Williamthorpe Fields housing development. There is no alternative proposal put forward that is of equivalent sporting benefit or for which there is a mechanism in place for its delivery and on-going management. The development therefore fails to accord with Local Plan policies SS1, LC1, ID1 and ID10. It is considered that there are no other material considerations of sufficient weight to outweigh this conflict with the Development Plan.
 - 2) The proposal would result in a major development of urban character and appearance within a gap between the settlements of North Wingfield

and Holmewood. It would erode the gap, dilute the identity of each settlement and result in visual and landscape harm. As such it would fail to accord with Local Plan policies SS1, LC1, WC5, SDC3 and SDC12. It is considered that there are no other material considerations of sufficient weight to outweigh this conflict with the Development Plan..