

PLANNING COMMITTEE

MINUTES OF SPECIAL MEETING HELD ON TUESDAY, 28 JULY 2020 – 10.00 AM

Present:

Councillor Diana Ruff (Chair)
Councillor Jayne Barry (Vice-Chair)

Councillor William Armitage
Councillor Mark Foster
Councillor Maureen Potts
Councillor Tracy Reader
Councillor Kathy Rouse

Councillor Andrew Cooper
Councillor Carol Huckerby
Councillor Alan Powell
Councillor Jacqueline Ridgway
Councillor Ross Shipman

Also Present:

R Purcell	Assistant Director - Planning
A Kirkham	Planning Manager - Development Management
G Cooper	Senior Planning Officer
P Slater	Principal Planning Officer
J Owen	Chartered Legal Executive
A Maher	Senior Governance Officer
D Stanton	Governance Officer
M E Derbyshire	Members ICT & Training Officer
A Bryan	PA to Cabinet and Civic Officer
N Calver	Governance Manager
A Lockett	Planning Officer

PLA/8/ 20-21 Apologies for Absence and Substitutions

An apology was received from Councillor Peter Elliott.

PLA/9/ 20-21 Declarations of Interest

No Declarations of Interest were submitted.

PLA/10 /20-21 NED/20-00095 - 21 Hogarth Rise, Dronfield

The report to Committee explained that an application had been submitted to erect a detached summerhouse in the rear garden of 21 Hogarth Rise Dronfield S18 1QG for Mr Russ Thorpe, for the use of the applicant and his family. The application had been referred to Committee by a ward Member, who had raised concerns about it.

One objector spoke against the application. No one spoke in support of the application.

Members were directed to the late comments report, which had been issued the afternoon prior to the meeting.

Committee considered the application. In particular, it took into account the

relevant planning issues in reaching its determination on the application. These included the impact on the amenities of neighbouring properties, as well as the character and appearance of the surrounding area.

Members discussed the application. They noted that construction works had already started on site as the applicant had believed that the proposed building would constitute permitted development. Members were informed that although the building's dimensions would otherwise accord with the rules relating to permitted development, consent would be required in this instance since more than 50% of the site would be developed, contrary to those rules.

Members considered the potential impact of the development on the surrounding properties and discussed the ways in which this could be minimised. In this context, they heard of concerns about the possible environmental impact of the development, including the risk of surface water affecting neighbouring properties. They also considered the visual impact of the development and how this could be addressed appropriately.

RESOLVED - That Application NED/20/00095 be approved in line with Officer recommendations:-

- 1 The development hereby permitted shall be started within 3 years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the details shown on the revised plans and elevations drawing received 23/03/2020; unless otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures and unless otherwise required by any condition contained in this decision notice.
- 3 The outbuilding hereby approved shall be for ancillary domestic use only and not for any business use.
- 4 Notwithstanding any other submitted details or other permitted development rights, no fencing or walling shall be erected on or around the site in excess of 2 metres in height.

PLA/11 /20-21 **NED/20-00371 - Carberry Wood, Kelstedge**

The report to Committee explained that an application had been submitted for a single storey side extension, west elevation, (Amended Plans) at Carberry Wood, Kelstedge Lane, Brockhurst, Ashover S45 0HP for Simon Oxspring.

The application had been referred to the Committee by the ward Member, who had raised concerns about it.

One objector spoke against the application. No one spoke in support of the application.

Committee considered the application. It took into account the relevant planning issues in reaching its determination on the application. These

included the Design and Impact on the Street Scene and the impact on neighbours. The Committee also took into account the implications for Highway Safety.

Members discussed the application. In particular, they considered how the amended application had addressed many of the original concerns about the development. They considered how these might be reduced still further through appropriate landscaping. Members also noted the officer assessment that there would sufficient capacity for vehicles to park and to turn on the site and that the proposed development would not adversely impact on road safety.

RESOLVED - That application NED/20/00371 be approved in line with Officer recommendations:-

- 1 The development hereby approved shall be started within 3 years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the submitted plans: Proposed Site Plan 04 Rev B received 29th June 2020 and Plans and Elevations 03 Rev A received 12th June 2020 unless otherwise specifically agreed through a formal submission under the Non-Material Amendment procedures and unless otherwise required by any other condition in this decision notice.
- 3 The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Carbery Wood, Kelstedge Lane, Brockhurst, Ashover and shall not be severed from the main house as a separate dwelling.
- 4 From the first occupation of the extension, hereby approved, the area of hedge along the southern boundary, circled in red on the attached plan, shall be maintained at a minimum height of 3m.
5. Within 28 days of the development, hereby approved, commencing a plan, including a timetable for its implementation, showing detailed landscaping within the site, and specifically along the site's southern boundary, shall be submitted to and be approved in writing by the Local Planning Authority. The agreed details shall then be fully implemented as approved and any trees planted that die or are removed within 5 years of their first planting shall be replaced with plants of a similar size and species.
6. Before the extension, hereby approved, is first brought into use, space shall be created within the site to ensure the parking and turning of vehicles within the site. Once formed, the area so provided shall be retained as such thereafter. The parking and manoeuvring areas formed/created shall not be used for any purpose other than the parking and manoeuvring of vehicles and specifically shall not be used for any storage.

PLA/12 **NED/20-00285 - Town End, Shirland**
/20-21

The report to Committee explained that Change of use from a manège to commercial sale of vehicles (Affecting Setting of a Listed Building/Amended Title/Amended Plans) at Town End, Shirland, for Mr Oughton - Rightvan Ltd.

The application had been referred to the Committee by a ward Member, who had had raised concerns about it.

One objector, Councillor Heather Liggett, as a local ward Member, spoke against the application. No one spoke in support of the application.

Members were directed to the recent late comments report which had been issued the afternoon prior to the meeting.

Committee considered the application. It took into account the relevant planning policies in reaching its determination on the application. These included highways access, the street scene and landscaping implications, and the impact on the setting of a listed building.

Members discussed the application. They noted the concerns which had been raised about the possible implications of the change of use for local residents, the visual impact and the possible road safety implications. They also heard of concerns about the potential impact on wildlife. Members discussed the imposition of appropriate conditions on the size and type of vehicles accessing the site. They also discussed how additional landscaping and screening might reduce the visual impact and help to protect wildlife.

RESOLVED - That application NED/20/00285/FL be approved in line with the Officer recommendations.

- 1 The development hereby permitted shall be started within 3 years from the date of this permission.

- 2 The development hereby approved shall be carried out in accordance with the submitted plan drawing numbers:
 - o 2204-2 (Site Layout Plan, date scanned 17th March 2020)
 - o 2204-3 (Location Plan, date scanned 17th March 2020)
 - o 2204-3 (Location Plan with Passing Place annotated, date scanned 24th June 2020)unless otherwise specifically agreed through a formal submission under the Non Material Amendment procedures and unless otherwise required by any other condition in this decision notice.

- 3 The site subject of this application shall be used for the storage and sale of campervan vehicles with a maximum axle weight of no more than 7.5 tonnes only.

- 4 The area for the storage and sales of vehicles shall be surfaced with crushed limestone, and retained as such thereafter.

- 5 Prior to the change of use the subject of the application, the existing access track onto Main Road shall be widened, generally in accordance with drawing 2204-3-3, with the additional removal of the first section of hedge (marked in green for the first 21m into the site and including the 'passing place') located between the highway and proposed passing place, so as to provide space within the site to vehicles to pass should they meet.
- 6 Notwithstanding the submitted details, prior to the change of use taking place, a plan to show vehicle parking, customer parking, manoeuvring areas and revised access track surfacing shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the site. Thereafter the customer parking and turning areas shall be kept clear at all time and not used for any other purpose other than parking and manoeuvring.
- 7 There shall be no vehicular gates or other barriers located within 10m of the highway boundary and any gates shall be designed as to open inwards only.
- 8 The business hereby approved shall be operated by the owner of 2 Town End, Shirland only and there shall be no other persons employed at the site.
- 9 There shall be no more than 5 vehicle deliveries per week.
- 10 Customer appointments to the site shall be limited to a maximum of 6 customer visits per week, with a maximum of 3 on any one day. These shall be made strictly by appointment only and not overlap. A log shall be retained of appointments and submitted to the Local Planning Authority on an annual basis, on or within 28 days of the anniversary of the permission hereby approved being granted.
- 11 No power tools, equipment or machinery shall be used on site, other than the use of portable hand tools is permitted. Manual cleaning and polishing of vehicles is allowed.
- 12 Appointments and deliveries to site shall only take place between the hours of 08:00 and 18:00 Monday to Friday, and 08:00 and 13:00 on Saturdays. There shall be no appointments or deliveries on Sundays or Public Holidays.
- 13 Prior to the commencement of development, a scheme of replacement native landscape planting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall seek to mitigate the loss of landscaping on site and include new native landscape planting. The approved landscaping scheme shall be implemented in full prior to the first use of the site and retained as such for the lifetime of the development.

PLA/13 **Matters of Urgency**
/20-21

There were no matters of urgency.