

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE**
held at County Hall, Matlock on 12 May 2014

PRESENT

Councillor J Innes (in the Chair)

Councillors Julie Hill, R L Hosker, R Mihaly, R A Parkinson, P Smith, T Southerd, J Twigg, D Walton (substitute Member) and B Wright.

Apologies for absence were received from Councillor M Ford.

No Declarations of Interest were received.

No Significant Lobbying had been received, although Members had received various communications in respect of the Calow application (Minute No 34/14).

29/14 **PETITION RESOLVED** that the petition listed below be received and noted:-

<u>LOCATION/SUBJECT</u>	<u>SIGNATURES</u>	<u>LOCAL MEMBER</u>
Proposal to Drill Exploratory Boreholes, Erect Containerised Units, Associated Plant and Equipment, Extract Natural Gas, Generate Electricity and Ancillary Operations, Land North-East off Dark Lane, Calow, Chesterfield (Code No CM4/0114/156)	42	Councillor Julie Hill

See Minute No 34/14 below)

30/14 **SITE VISITS** In accordance with the Code of Practice the Committee visited the site at Calow (Minute No 34/14) and Somersall Lane, Chesterfield (Minute Nos 32/14 and 33/14).

31/14 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 7 April 2014 be confirmed as a correct record and

signed by the Chair, subject to the inclusion of Councillor P Smith in the attendance list.

32/14 PROPOSAL FOR THE CONSTRUCTION OF A SAFE LINK BETWEEN THE PROPOSED PHASE THREE OF THE HIPPER VALLEY GREENWAY AND THE EXISTING FOOTPATH AT SOMERSALL LANE, WALTON, CHESTERFIELD APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD2/0114/152) The application was for a safe crossing point and access link at Somersall Lane, Walton between the proposed phase three of the Hipper Valley Greenway and the existing footpath C2/87/1, located in Somersall Park. Details of the proposal were contained within the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees and following publicity. Chesterfield Borough Council had objected to the proposal because of the impact the proposed operational development would potentially have on the character, appearance and heritage significance of the Somersall Hall and Avenue Conservation Area and also on visual amenity and biodiversity, which was addressed in the report. One letter from Chesterfield Cycle Campaign had been received in support of the application and was detailed in the report. The Strategic Director for Economy, Transport and Environment addressed the issues raised in his report.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and other material considerations set out in the National Planning Policy Framework had been taken in to account. It was considered that the key planning considerations for the application were Need for the Development; Highways Safety; Landscape and Other Visual Impacts; and Ecological Impacts. These issues were examined in the Strategic Director's report.

It was concluded that the proposal would provide a safe crossing point for local people, in particular school children who used the point to cross Somersall Lane. It also had the potential to cater for increased numbers of non-motorised users that would be associated with further greenway development in the Hipper Valley. He was satisfied that with the imposition of the recommended planning conditions there would be minimal impacts on the setting of the Somersall Conservation Area. He further recommended that the link should be a 2.5 metres wide track rather than 2.0 metres wide as proposed in the report. He confirmed that the proposal accorded with both national and Local Plan policies.

RESOLVED that planning permission be granted, subject to the conditions set out in the report of the Strategic Director for Economy, Transport and Environment, subject to the track being a 2.5 metres standard width.

33/14 PROPOSED CONSTRUCTION OF 1.1 KILOMETRES GREENWAY BETWEEN SOMERSALL LANE, CHESTERFIELD AND GREENDALE AVENUE, HOLYMOORSIDE APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD4/0413/3 AND CD2/0413/3)

The application proposed the construction of a 1.1 km greenway located on the existing Public Rights of Way linking Somersall Lane to Holymoorside. The upgrading of the existing footpaths would form part of a wider initiative to create a multi-user trail linking Chesterfield Railway Station with Holymoorside. Details of the proposals were contained within the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees and following publicity. Concerns had been raised by North East Derbyshire District Council regarding the provision of a tarmac area at Greendale Avenue, Holymoorside as being an intrusion in to the Green Belt; comments received from Holymoorside and Walton Parish Council related to the safety of the boundary stone at the junction of footpaths 31 and 32, concerns of potential future urbanisation and building adjacent to the path, and confirmation that no access for motorised vehicles would be allowed.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and other material considerations set out in the National Planning Policy Framework had been taken in to account. It was considered that the key planning considerations for the application were Need for the Development, Impact of the development on the Green Belt, Impact of the development on the Historic Environment, Ecology, Flood Risk, Highway Safety, and Landscape and Other Visual Impacts. These issues were examined in the Strategic Director's report.

The Strategic Director concluded that the proposed upgrade of the existing footpaths would provide improvements to the local PROW network and form part of a wider initiative to create a trail linking Chesterfield to the Peak District. The development would be considered appropriate development within the Green Belt and would, therefore, not be harmful to its open character. However, he had concerns regarding the potential impacts that the development could have on the wider landscape and visual character of the area and the character and appearance of the wider Somersall Lane Conservation Area, but considered that these impacts could be adequately controlled by condition. Similarly the potential impacts of the development on the ecology of the brook were capable of mitigation if secured by condition. Regrettably, however, because of unresolved concerns relating to the potential impact of the development on highway safety he concluded that the development would be unacceptable.

The Strategic Director's representative reported that subsequently the applicant had agreed to remove the equestrian access from the proposal. On this basis, he recommended that the proposal be approved, subject to conditions.

Members were concerned that the British Horse Society had supported the original proposals and queried whether they should be re-consulted on the change. Members asked how horse riders would be prevented from using the route. It was suggested that this could initially be by signage or gates with access for wheelchair users being maintained. Members also asked that use by motor cycles should be prevented.

RESOLVED that planning permission be granted, subject to a set of conditions being presented and approved at the next Planning Committee meeting.

34/14 PROPOSED DRILLING OF EXPLORATORY BOREHOLES, ERECTION OF CONTAINERISED UNITS, ASSOCIATED PLANT AND EQUIPMENT, EXTRACTION OF NATURAL GAS, ELECTRICITY GENERATION AND ANCILLARY OPERATIONS AT LAND OFF DARK LANE, CALOW, CHESTERFIELD APPLICANT: SEVERN STAR NATURAL GAS LIMITED (CODE NO: CM4/0114/156) Consideration of the application was deferred until the next meeting because of a delay in some residents receiving notification of the meeting. A brief visit to the site was undertaken as planned but it was agreed that a full inspection of the site would be carried out when the application was considered.

35/14 CURRENT ENFORCEMENT ACTION RESOLVED to receive the report on Current Enforcement Action.

36/14 OUTSTANDING APPLICATIONS RESOLVED to receive the list on decisions outstanding on 12 May 2014 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

37/14 CURRENT APPEALS/CALLED-IN APPLICATIONS RESOLVED to note the report on current appeals/called-in applications relating to County matters.

38/14 DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING RESOLVED to receive the Planning Services Development Management Monthly Performance Management Statistics for April 2014.

39/14 MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER THE DELEGATED POWERS RESOLVED to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 10 April 2014

- 1 Proposed Section 73 Application Not to Comply with Condition 14 (Hours of Operation) of Planning Permission Code Number CW2/0313/156 at Hall Plant Hire, Sheepbridge Lane, Chesterfield
Applicant: Hall Plant Hire
Planning Application Code No: CW2/0214/165
- 2 Proposal to Improve the Existing Boundary Security Features at John Flamsteed Community School, Derby Road, Ripley
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0214/163
- 3 Proposal for Security Improvements at Brooklands Primary School, Clumber Street, Long Eaton
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0214/166
- 4 Request for Approval of a Scheme for the Installation of a Silo and Four Sub-stations at Whitwell Works, Whitwell Quarry, Southfields Lane, Whitwell
Applicant: Steetley Dolomite
Submission No: SM2507

(b) 17 April 2014

- 1 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD2509
 - SM2522
 - SM2531
 - SM2532
 - SW2546
 - SW2560
 - SW2563

(c) 24 April 2014

- 1 Proposed Installation of Air Cooled Chiller Units to the Roof at Chesterfield Library and Information Centre, New Beetwell Street, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0314/170

(d) 1 May 2014

- 1 Proposed Roof Refurbishment of a School Wing incorporating the Removal and Replacement Roof Windows at William Rhodes Primary School, Hunloke Avenue, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0314/171
- 2 Application Not to Comply with and Existing Planning Condition Number 1 of Planning Permission CM3/0313/153 at Overfields Barn, Pasture Lane, Brassington
Applicant: Spencer Bros (1903) Brassington Ltd
Planning Application Code No: CM3/0114/155
- 3 Proposed Extension to Provide Additional Toilet Provision at Deer Park Primary School, New Road, Wingerworth
Applicant: Derbyshire County Council
Planning Application Code No: CD4/0214/167
- 4 Retrospective Planning Application for a Trim Trail at Ladywood County School, Ladywood Road, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0314/172

(e) 8 May 2014

- 1 Proposal to Install Security Fencing at Howitt Primary Community School, Holmes Street, Heanor
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0314/175
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM2567
 - SM2568
 - SD2565