
AGENDA ITEM No. 2

MINUTES

Meeting: Planning Committee

Date: 14 February 2014 at 10.00 am

Venue: The Board Room, Aldern House, Baslow Road, Bakewell

Chair: Cllr Mrs L C Roberts

Present: Mr P Ancell, Miss P Beswick, Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr A R Favell, Cllr C Furness, Cllr Mrs H M Gaddum, Cllr Mrs N Hawkins, Cllr H Laws, Cllr Mrs K Potter and Cllr Mrs J A Twigg

Apologies for Absence: Mr C Pennell, Cllr P Rippon

8/14 MINUTES

The minutes of the meeting held on 10 January 2014 were approved as a correct record.

9/14 PUBLIC PARTICIPATION

It was noted that 10 members of the public had given notice to speak.

10/14 MEMBERS' DECLARATION OF INTERESTS

Item 7

- Cllr Mrs L Roberts, personal interest as this item was considered at a meeting of the Parish Council of which she is a member. Cllr Mrs Roberts did not take part in discussion nor did she speak or vote on the item, this is recorded in the PC minutes.

Item 11

- It was noted that all Planning Committee members had received correspondence from the Applicant Mr T Gratton and from Ms R Oakley.
- Cllr D Chapman declared a personal interest in that he knew one of the speakers, Cllr J Chapman.
- Cllr D Chapman declared a personal interest as he had been asked under the 'We are here for you' initiative to arrange a meeting between the Applicant, the housing enabler and John Scott, Director of Planning. Cllr Chapman had expressed no opinion on the application and had made no predetermination. He had attended the meeting.

Item 13

- Clr P Brady, personal, as under the 'We are here for you' initiative, he had advised an objector by telephone on how to make his objection. Clr Brady had not discussed the application with him.
- Clr Mrs K Potter, personal, as she had received a telephone enquiry from a local resident and she had advised the person to contact the Authority's planning service.

Item 16

- Clr H Laws, personal as a member of English Heritage
- Miss P Beswick, personal as a member of English Heritage

Item 20 (Part B)

- Clr A Favell, personal interest as he had been lobbied by neighbours in writing and by telephone.

Also in relation to Item 20, John Scott, Director of Planning, stated that he had an interest as he had advised the owner's solicitors on the matter whilst working as a planning consultant. He would therefore leave the room when the item was considered by the meeting.

11/14 6. FULL APPLICATION - PROPOSED CHANGE OF USE AND CONVERSION OF REDUNDANT TRADITIONAL BARN TO A DWELLING, LAND ADJ MOORSIDE FARM, REAPSMOOR, LONGNOR (NP/SM/1013/0918, P.5964, 408169 361839, 31/1/2014/KW/CF)

This application had been deferred by the Planning Committee on 10 January 2014 so that officers could discuss amended proposals with the applicant and agent.

The officer reported that negotiations had led to an agreement that the shed would be removed. The building design was acceptable and would both enhance the setting and enable long term conservation of the barn.

The recommendation was moved, seconded, voted upon and carried.

RESOLVED:

That the revised application be APPROVED subject to the following conditions/modifications:

Statutory Time Limit

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

Approved Plans

- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended block plan, showing the proposed layout of the site, including parking area, residential curtilage, planting and buildings to be demolished, and in complete accordance with the submitted floor plans and elevational drawings.**

Mitigation Measures

- 3. The development hereby permitted shall not be carried out in accordance with the recommendations in the submitted protected species survey, and in complete accordance with mitigation measures for bats and birds first submitted to and agreed in writing by the National Park Authority.**

Conversion within Existing Shell

- 4. The conversion shall be carried out within the shell of the existing building, with any rebuilding limited to the lean-to that is specifically shown on the approved plans.**

Demolition Works

- 5. The buildings shown on the amended plans for demolition, including the nissen hut at the front of the barn and the sheds and larger modern farm building to the immediate rear of the barn, shall be dismantled and permanently removed from the land prior to the first occupation of the dwelling hereby permitted.**

External Lighting

- 6. Unless otherwise agreed in writing by the National Park Authority, there shall be no external lighting and the converted building and associated curtilage shall not be provided with any other external source of illumination at any time during the lifetime of the development hereby approved.**

Access and Parking

- 7. A specification or sample of the material to be used for the surfacing of the drive, parking and manoeuvring areas shall be submitted to and approved in writing by the National Park Authority before the development commences.**
- 8. Prior to the first occupation of the dwelling hereby permitted use, the access, parking and turning areas shall be completed in accordance with the amended site plan, and surfaced in accordance with the specifications approved under Condition 7 (above).**

Architectural Specifications

- 9. Confirmation of design details including timber external windows, and doors, recess for doors and window frames, black rain water goods on brackets, flue pipe to be finished in matt black, mortared roof verges, and the specifications for rooflights and glazing bars.**

Permitted Development Rights

- 10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the converted building shall be carried out and no extensions, porches, ancillary buildings, satellite antenna, gates, fences, walls or other means of boundary enclosure shall be erected on the site without the National Park**

Authority's prior written consent.

Curtilage and Boundary Walls

11. **Prior to the first occupation of the dwelling hereby permitted, the curtilage of the converted barn shall be defined with a drystone wall on the line of the drystone wall shown on the amended site plan. The drystone wall shall be constructed in locally obtained natural stone, to a height of 1.2m - 1.5m, coursed and pointed to match the stonework of the existing boundary walls.**

12/14 7. FULL APPLICATION – ERECTION OF LOCAL NEEDS DWELLING ON LAND NORTH OF LAPWING FARM, ACROSS THE LEA, MEERBROOK (NP/SM/1113/1000, P2412, 361358 398817, 28/01/2014/ALN)

It was noted that Members had visited the site on the previous day.

The officer advised that enforcement action was pending with regard to the building currently occupying the site and that enforcement action in relation to the unauthorised structure would ensue should the application be refused.

The following made representations under the Public Participation Scheme:

- Ms S Leese, Applicant's partner
- Mr D Brakewell, Agent
- Cllr Mrs G Heath, Local Ward Councillor in support

After making her representation, Cllr Mrs Heath left the meeting.

Debate focused on several points including:

- Whether the applicant was in housing need and whether the need could be met within existing housing stock
- The acceptability of the design of the proposed dwelling and consideration of its landscape and visual impact
- Whether the size and type of the proposed dwelling would make it affordable in perpetuity to local people on a low or moderate income
- The acceptability of the location of the site and the sustainability of a newly-built house in open countryside, to meet local needs
- The possibility of creating two adjoining houses

A motion for deferral was moved and seconded, on the basis that the family's housing need should be further considered. Officers acknowledged the complexity of the matter but reiterated that approval of the proposals would be a departure from policy and that the applicant could seek advice on his need from a housing association. There was potential to discuss another proposal with the applicant should the current application be refused, as recommended.

The mover and seconder withdrew the motion for deferral.

The recommendation to refuse the application was moved, seconded, voted upon and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

1. **The application site is not within or on the edge of a named settlement as defined in Core Strategy policy DS1 and therefore the proposals would represent an unsustainable form of development that is contrary to policies GSP1 and HC1 of the Core Strategy, contrary to saved Local Plan policy LH1, and contrary to national policies in the National Planning Policy Framework.**
2. **The proposed dwelling is not of a size and type that would remain affordable to local people of low to moderate incomes in perpetuity, contrary to Core Strategy policy HC1, contrary to saved Local Plan policy LH1 and contrary to advice in the Authority's adopted supplementary planning guidance 'Meeting the Needs for Affordable Housing.'**

13/14 8. FULL APPLICATION – PROPOSED CONVERSION OF FORMER FARMHOUSE TO A SINGLE OPEN MARKET DWELLING INCLUDING RETROSPECTIVE APPLICATION FOR WORKS TO THE BUILDING INCLUDING RAISING OF THE EAVES AND ROOF HEIGHT AND OTHER ALTERATIONS AT, HOPPING HEAD FARM, BLAKELOW ROAD, ONECOTE (NP/SM/1213/1097, P.11171, 403392 354950, 2/2/2014/KW)

It was noted that members had visited the site on the previous day.

Clr D Chapman left the meeting.

The application sought full planning permission for the conversion of the former farmhouse to a single open-market dwelling, and retrospective consent for the existing unauthorised works.

The officer referred to the potentially adverse effects of the proposals upon the landscape of open countryside.

The following made representations under the Public Participation Scheme:

- Mr K Wainman, Agent
- Clr Mrs G Heath, Local Ward Councillor in support

After making her representation, Clr Mrs Heath left the meeting.

Officers confirmed that there were other potential uses for the building within policy which would be acceptable in principle, for example, as a field study centre, as holiday accommodation or as a dwelling for an agricultural worker or local needs.

A motion to defer the decision to the next meeting of the planning committee, pending exploration of alternative uses, was moved, seconded, voted upon and carried.

RESOLVED:

That the application be DEFERRED to the next meeting of the planning committee, pending consideration of alternative uses of the property.

14/14 9. FULL APPLICATION – ERECTION OF REPLACEMENT DWELLING AND SOLAR PANEL ARRAY AT TURNHURST FARM, BOSLEY (NP/CEC/1213/1148, P5839, 393234 366419, 24/12/2013/ALN)

This application proposed demolition of the existing house and barn and the construction of a replacement dwelling. It also included the erection of solar photo voltaic (pv) panels in an array to the rear (north) of the house.

The officer reported that significant refurbishment of the property was needed, therefore replacement rather than repair was favoured. The location of the solar pv panels was still under discussion.

The following made representation under the Public Participation Scheme:

- Mr D Brakewell, Agent

The recommendation for approval was moved and seconded.

Members proposed an additional condition requiring that a photographic record of the existing building be made, including the interior. Officers confirmed that such condition could be imposed. The Authority's Historic Buildings Architect had concluded that the building did not have vernacular merit.

Members sought clarification on why it was proposed to arrange solar pv panels on the ground rather than on the roof. Officers explained that the proposed site for the panels was less prominent than the front pitch of the roof, which could be seen from the road. There was still some uncertainty about the effect of shading on the panels at the rear of the property.

It was proposed that condition 4 be amended to ensure that the precise siting of the panels be agreed before commencement of any work.

Clr Mrs K Potter was of the opinion that the photovoltaic cells should be fitted on the roof of the building and not at ground level.

The recommendation with the amended condition 4 and the additional condition 21 was moved, seconded, voted upon and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit**
- 2. Adopt amended plans**
- 3. Remove permitted development rights for extensions, alterations and outbuildings, porches, walls, fences etc.**
- 4. Photovoltaic panels to be located to the rear (north east) of the house as shown on amended plan no. 2013-1875-03 Rev A – precise siting to be agreed prior to the commencement of any works.**
- 5. Submit and agree hard and soft landscaping scheme.**
- 6. Restrict domestic curtilage to be limited to area edged green on attached plan.**
- 7. Sheds, greenhouse, polytunnel marked in dotted lines and touring caravan all shown on plan no. 2013-1875-03 Rev A to be completely removed from the site before the dwelling is first occupied.**
- 8. Submit and agree any details of spoil removal arising from the demolition works.**

9. **Development to be built to a minimum of Code Level for Sustainable Homes required of RSLs.**
10. **Design Stage Assessment and Interim Code certificate to be submitted and agreed before work commences.**
11. **Prior to first occupation copy of summary score sheet and Post Construction Review Certificate to be submitted.**
12. **Stonework to be in natural gritstone. Sample panel to be agreed.**
13. **Roof to be clad in natural local gritstone unless otherwise agreed in writing. Sample to be submitted and agreed.**
14. **Submit details of location and number of parking spaces before work commences.**
15. **Parking and manoeuvring spaces to be provided and maintained.**
16. **Any service lines to the property to be underground.**
17. **Repairs to access track as detailed on approved plan to completed before the dwelling is first occupied.**
18. **Foul water to be dealt with by a package treatment plant in the location shown on approved plans.**
19. **Bat and swallow nesting boxes to be installed before work commences the number and position of which shall be submitted and agreed in writing. Bat access slates to be installed into the roof of the dwelling, the number and position of which shall be agreed in writing.**
20. **Minor Design Details.**
21. **A full photographic record of both the interior and exterior of the building to be made prior to the commencement of works and at key stages during the development.**

Footnote re: procedures for lifting roof tiles in respect of bats

- 15/14 **10. FULL APPLICATION - RENOVATIONS AND EXTENSIONS TO FARM HOUSE; CONVERSION OF OUTBUILDINGS AND ERECTION OF ANCILLARY BUILDINGS, HANNEL FARM, SWYTHAMLEY (NP/SM/1013/0972, P2507, 396124/363996 LB/CF 2/2/2013)**

This application was a resubmission that sought to overcome the objections to the previous proposals (NP/SM/0613/0481).

The officer reminded Members that a site visit had been undertaken in 2013 and explained that the amended plans omitted the formerly proposed two-storey extension off the rear of the farmhouse, as recommended by officers, and proposed instead a two-storey extension off the side of the farmhouse,

He reported that parts of the building were structurally unsound.

The following made representation under the Public Participation Scheme:

- Mr I Ankers, Agent

On the basis that the applicant had amended the proposals as requested by members, and to preserve the building, a motion for approval was moved and seconded.

In response to member concerns about the significant historic value of the farmhouse, the officer confirmed that a full archaeological survey could be stipulated by condition. The reasons for such a survey not having taken place at the time of application were set out in the report (page 11). At the request of the Chair, the agent confirmed that if the proposals were approved by members, the applicant would invest in a full archaeological survey of the building.

The Chair asked the member representative for cultural heritage to discuss with officers the appropriate detailed conditions relating to the restoration of the building. Some of this conditioning could be of a rolling nature, enabling responses to developments during the ongoing work.

The motion to approve the application on the basis of the amended plans and with detailed conditions to be agreed, including that no work should start prior to the submission of an archaeological survey, was voted upon and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **3-year implementation time limit**
2. **Adopt amended plans**
3. **That a full archaeological survey be undertaken and the results submitted to the Authority, prior to the commencement of any works.**
4. **No re-building other than where specified**
5. **Design details and architectural specification including precise detail re doors and windows**
6. **Withdrawal of permitted development right**
7. **Garage restricted to garaging of domestic vehicles**

Clr Mrs J Twigg left the meeting at 12.40pm.

16/14 11. OUTLINE PLANNING APPLICATION – ERECTION OF A SINGLE AFFORDABLE DWELLING – LAND ADJACENT TO THORNEYCROFT, SUMMER CROSS, TIDESWELL (NP/DDD/1213/1075, P.7053, 02/12/2013, 414866 / 375646, MN)

Clr P Brady declared a personal interest as he knew one of the speakers, Clr J Chapman.

The report considered whether an affordable dwelling was justified in policy terms by the applicant's circumstances, whether the applicant met the policy criteria to occupy such a dwelling and whether the proposed siting of the dwelling could be considered acceptable in terms of its landscape, highways and amenity impact.

It was noted that there was no key issue number 4 on page 1 and that the '4' should have been deleted prior to publication of the report.

Authority members had viewed the site from the road in August 2013. The size of the site had been reduced from the previous application, to make the development more affordable. The applicant had also submitted additional information regarding the availability of affordable housing in the village.

Officers stated that according to the Supplementary Planning Guidance on Affordable Housing in the Peak District National Park, the applicant was not in need of affordable housing as he already had a home in the National Park. Whilst the SPG was guidance rather than policy, it did have weight and supported the Core Strategy and the Local Plan.

The following made representations under the Public Participation Scheme:

- Mr T Gratton, applicant
- Ms R Oakley, partner of applicant
- Cllr J Chapman, in support on behalf of Tideswell Parish Council

A motion to approve the outline application was moved and seconded on the basis that the applicant's current house was not affordable to him and his partner and that they were therefore in need. The site was considered to be an acceptable location for an affordable local needs dwelling.

RESOLVED:

That the outline application be APPROVED subject to the following conditions:

- 1. Standard outline conditions**
- 2. Withdrawal of permitted development rights**
- 3. Section 106 agreement**

The committee broke for lunch between 1.10pm and 1.45pm.

Chair: Cllr Mrs L C Roberts

Present: Mr P Ancell, Miss P Beswick, Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr C Furness, Cllr Mrs H M Gaddum, Cllr Mrs N Hawkins, Cllr H Laws and Cllr Mrs K Potter

Apologies for Absence: Mr C Pennell, Cllr P Rippon

17/14 13. FULL APPLICATION – ERECTION OF AN AGRICULTURAL BUILDING ON LAND OFF DERBY LANE, MONYASH (NP/DDD/1113/1034, P. 10069, 30/01/2014, 415143/366299, CF/LB)

The following made representations under the Public Participation Scheme:

- Mr M Browett, Objector
- Mr M Palfreyman, Applicant

This application proposed the erection of an agricultural building to house cattle and sheep and for the storage of fodder.

Members had driven past the site on the previous day and the location of the proposed and alternative sites had been pointed out to them.

Officers confirmed that another site had been the applicant's original choice for the building, however the mains water supply to the village of Monyash ran across that field and following discussion with the case officer, an alternative site was proposed.

Members moved and seconded a motion to refuse the application on the basis that the building would be better sited near to other farm buildings, thus reducing the impact on the landscape.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposed development would have an unacceptable impact upon the landscape**
- 2. An alternative, less damaging site was available**

18/14 17. LOCAL DEVELOPMENT PLAN ANNUAL MONITORING REPORT FOR 2012/13 (A.6106/BJT)

The officer introduced the report and made some minor corrections.

Members were asked to agree the Local Development Plan Annual Monitoring Report for 2012/13, to note the headline issues raised in paragraph 19 of the officer's report and to delegate authority to make any future changes to the Director of Planning in consultation with the Chair and Vice Chair of Planning Committee.

The report recommendation was moved, seconded, voted upon and carried.

RESOLVED:

That Members:

- 1. Agreed the Local Development Plan Annual Monitoring Report 2012/13 (Appendix 1)**
- 2. Noted the headline issues raised in paragraph 19 of the officer's report**
- 3. Delegated authority to make any future changes to the Director of Planning in consultation with the Chair and Vice Chair of Planning Committee**

19/14 12. FULL APPLICATION - CONSTRUCTION OF STONE STABLE BLOCK AND HARDSTANDING ON LAND OFF OLD COALPIT LANE, CHELMORTON (NP/DDD/1013/0979 P.5365 NP/DDD/1013/0979 410271/369935 CF/LB 28/1/2014)

This application proposed the erection of a stable and sought retrospective planning permission for an existing concrete hardstanding within the field.

Members raised concerns about waste management and external lighting on the site. An additional condition requiring the submission of a waste management plan prior to commencement of any works was proposed, together with an amendment to condition 4 to exclude permitted development rights for external lighting.

The recommendation with the amended condition 4 and additional condition 7 was moved, seconded, voted upon and carried.

RESOLVED:

That the application be **APPROVED** subject to the following conditions/modifications:

Statutory Time Limit

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

Approved Plans

2. The development hereby permitted shall not be carried out otherwise than in accordance with the submitted plans and specifications, subject to the following conditions or modifications:

Design Details

3. Confirmation of design details including stonework, timber doors and windows, rainwater goods, and roof materials.

Permitted Development Rights

4. Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the building shall be carried out and no extensions, ancillary buildings, satellite antenna, gates, external lighting, fences, walls or other means of enclosure shall be erected within the red-edged application site without the National Park Authority's prior written consent.

Outdoor Storage / Over Night Parking

5. There shall be no storage of materials or equipment on the concrete hard standing hereby permitted and there shall be no overnight parking of vehicles, including horse boxes, outside the building or within the application site at any time during the lifetime of the development hereby permitted.

Private Use

6. The stables hereby permitted shall be used solely for private stabling ancillary to grazing horses on the associated land within the red-edged application site and the stabling and the associated land shall not be taken into use for any commercial purpose at any time during the lifetime of the development hereby permitted.
7. A waste management plan shall be submitted and approved by the Authority prior to the commencement of any works.

Informative

The permission does not extend to any consent for a change of use of the land comprised within the red-edged application site and does not grant consent for the land or stables to be used as livery stables, riding school or any other commercial equestrian centre.

In accordance with Standing Order 1.10 the Committee agreed that the meeting continue beyond 3 hours.

Clr Mrs N Hawkins left the meeting at 2.40pm.

20/14 14. FULL APPLICATION – ERECTION OF REPLACEMENT DWELLING AT MANOR FARM BUNGALOW, QUARNFORD (NP/SM/1213/1070, P3280, 400198 366293, 02/12/2013/KW)

This application sought the demolition of the existing house and barn and the construction of a replacement dwelling approximately 29m north of the existing house.

The agent requested that the existing building be retained until the new house was built so that it could be used as a store during building works. Members suggested instead that the demolition be deferred until the roof of the new house had been completed. Amended wording for condition 3 was proposed. Members considered it worthwhile to keep an historical record of the original building and requested a condition requiring a photographic record of the building prior to demolition.

Questions were also raised about the need for a properly surfaced track to be in place before builders' vehicles began accessing the site and for the control of the design of any external lighting.

The recommendation with amended and additional conditions was moved, seconded, voted upon and carried. Clr Mrs K Potter voted against the proposal.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit**
- 2. Adopt amended plans**
- 3. Existing bungalow to be demolished and removed from the site prior to the first occupancy of the new house.**
- 4. Remove permitted development rights for extensions, alterations and outbuildings, porches, walls, fences, satellite dishes and solar panels.**
- 5. Submit and agree hard and soft landscaping scheme.**
- 6. Restrict domestic curtilage to be limited to area edged green on attached plan.**
- 7. Submit and agree any details of spoil removal arising from the demolition works.**
- 8. Development to be built to a minimum of Code Level for Sustainable Homes required of RSLs.**
- 9. Design Stage Assessment and Interim Code certificate to be submitted and agreed before work commences.**
- 10. Prior to first occupation copy of summary score sheet and Post Construction Review Certificate to be submitted.**

11. Stonework to be in natural gritstone. Sample panel to be agreed.
12. Roof to be clad in natural local gritstone unless laid in diminishing courses towards the ridge. Sample to be submitted and agreed.
13. Submit and agree hard-surfacing details in respect of the access and access track.
14. Submit details of location and number of parking spaces before work commences.
15. Parking and manoeuvring spaces to be provided and maintained.
16. Any new service lines to the property to be underground.
17. Foul water to be dealt with by a package treatment plant in the location shown on approved plans. Submit and agree details of disposal of foul and surface waters.
18. Minor Design Details.
19. Hard surfacing of the track to be in place prior to builders' vehicles accessing the site
20. No external lighting to be installed until detailed design proposals submitted and approved by the Authority.

21/14 18. PLANNING APPEALS (A.1536/AMC)

RESOLVED:

That the report be received.

22/14 EXCLUSION OF THE PUBLIC

RESOLVED:

That the public be excluded from the meeting during consideration of Item no. 20 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, paragraph 3 "Information relating to the financial or business affairs of any particular person (including the authority holding that information)", paragraph 5 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings" and paragraph 7 "Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."

PART B

SUMMARY

The Director of Planning left the meeting and took no part in the presentation or debate about this matter.

The Committee determined the following item and full details are contained in the exempt minutes:

22/14 20. ENFORCEMENT ITEM - LAND ADJACENT TO FERNHILL COTTAGE, HOLLOW MEADOWS, SHEFFIELD (P.3018 – 08/01/03/AJC)

The Monitoring & Enforcement Manager introduced the report and summarised the history. He referred to photos of the site which were displayed at the meeting and pointed out the main features of the site. He outlined the main considerations in relation to the two main options, as set out in the report

Clr Mrs Roberts sought clarification of the 'suitable scheme' referred to in recommendation (b). The officer reported that in principle, the driveway was acceptable, however the owner had carried out more extensive development that was not acceptable.

Clr Mrs Gaddum proposed that the deferral of direct action as detailed in recommendation (b) should be amended to a period of 5 months rather than 6 months, to avoid the expiry of any tenders submitted for the works – however, the officer stated that tenders could be extended or renewed as needed.

The Assistant Solicitor drew attention to the statutory requirement to carry out an equality duty assessment. A third recommendation was put forward, that officers carry out such an assessment before any direct action was taken by the Authority.

The recommendations, as set out in the report, with the addition of a third recommendation to carry out an equality duty assessment were moved, seconded, voted upon and carried.

RESOLVED:

- (a) That authority be given 'in principle' for direct action to be taken to secure compliance with the Enforcement Notice in accordance with section 178 of the Town and Country Planning Act 1990**
- (b) That direct action be deferred for a period of six months to allow for negotiations with the owners over a suitable scheme and the submission and determination of a planning application**
- (c) That before taking any direct action, officers carry out an equality duty assessment**

The meeting ended at 3.15pm.