
AGENDA ITEM No. 2

MINUTES

<u>Meeting:</u>	Planning Committee
<u>Date:</u>	15 November 2013 at 10.00 am
<u>Venue:</u>	The Board Room, Aldern House, Baslow Road, Bakewell
<u>Chair:</u>	Clr Mrs L C Roberts
<u>Present:</u>	Mr P Ancell, Miss P Beswick, Clr D Birkinshaw, Clr P Brady, Clr D Chapman, Clr A R Favell, Clr Mrs H M Gaddum, Clr H Laws, Mr G D Nickolds, Mr C Pennell, Clr Mrs K Potter, Clr P Rippon, Clr Mrs J A Twigg.
<u>Apologies for Absence:</u>	Clr C Carr, Clr Mrs N Hawkins and Clr Ms E Wilcox.

159/13 MINUTES

The minutes of the meeting held on 11 October 2013 were approved as a correct record subject to the following amendment:

MINUTE 145/13 MEMBERS' DECLARATION OF INTERESTS

The first declaration under Item 6 was amended by deleting the word 'Curbar' and replacing it with 'Froggatt'.

And that it be noted that with regard to Minute 143/13 Clr Mrs K Potter was not against approval of all the minutes.

160/13 PUBLIC PARTICIPATION

The Chair reported that 23 member of the public had given notice to speak.

161/13 MEMBERS' DECLARATION OF INTERESTS

The following Members declared an interest in items on the agenda:

Item 6

- Mr C Pennell, personal interest as a member of Friends of the Peak District
- Clr Mrs K Potter, personal interest as a member of CPRE
- It was noted that Members had received lobbying correspondence from Friends of the Peak District

Item 7

- Miss P Beswick, personal interest as a member of English Heritage
- Mr C Pennell, personal interest as a member of Friends of the Peak District and as a member of English Heritage
- Clr Mrs K Potter, personal interest as member of CPRE

- Clr D Chapman, personal interest as he knew Mr Eccleston and Mrs Kidd, two of the public speakers, and he rented land from Stanton Estates
- It was noted that Members had received lobbying correspondence from Friends of the Peak District

Item 8

- Miss P Beswick, personal interest as a member of English Heritage
- Mr C Pennell, personal interest as a member of English Heritage
- Clr Mrs K Potter declared that she had received an invite to an exhibition regarding the site but had not attended
- It was noted that Clr Mrs L Roberts, Mr P Ancell and Clr A R Favell had received lobbying correspondence

Item 9

- Clr Mr D Chapman, personal, prejudicial interest as he was a friend of the applicant
- It was noted that Members had received lobbying correspondence from Ms C Gamble

Item 10

- It was noted that Clr Mrs L Roberts, Clr A R Favell and Clr Mrs J A Twigg had received lobbying correspondence

Item 11

- Clr Mrs L Roberts, personal interest as she knew Ms S Howard and Mr R Pattinson, who were two of the public speakers

Item 12

- Miss P Beswick, personal interest as a member of English Heritage
- Mr C Pennell, personal interest as a member of English Heritage
- Clr Mrs K Potter declared that she had not been present at the Parish Council meeting when this application had been discussed.

Item 14

- It was noted that Members had received lobbying correspondence from Claire Cottrill, Robert Cottrill, Elaine Pott, Dean Richards, Kate White, Jan Everard and Abney Parish Meeting

Item 15

- Clr D Chapman declared that he had no interest in this item but due to previous history with this site he would withdraw from the room for the duration of the consideration of this item
- Miss P Beswick, personal interest as she knew Mrs J Middleton, one of the public speakers
- It was noted that Members had received lobbying correspondence from Mrs J Middleton

Item 16

- It was noted that Members had received lobbying correspondence from Dr P Owens

Item 17

- It was noted that Members had received lobbying correspondence from Mr J Church

Item 18

- Cllr Mrs J A Twigg, personal interest as Bakewell was the main town within her County Council division

162/13 EXCLUSION OF THE PUBLIC

The Director of Land Use Policy explained that it was proposed to take the Part B item numbers 21, 22 and 23 relating to the Part A item numbers 6, 7 and 9 when the Part A items had been considered and not at the end of the agenda. Members agreed to take the resolution for Part B for items 21 and 22 at the same time and then separately for item 23.

163/13 6. REVIEW OF OLD MINERAL PERMISSION AT DEEP RAKE, HASSOP (LONGSTONE EDGE EAST) (M.2382/CP/DGB/JEN/JJL)

The Director of Land Use Policy introduced the report and reported that a letter in support of a prohibition order had been received from Andy Tickle of Friends of the Peak District, dated 12 November 2013, and which had also been received by Members. The letter was summarised for the Committee.

The following spoke under the public participation at meetings scheme:

- Mr J Lambert, Chairman of Save Longstone Edge Group
- Mr J Harris
- Mr P Dempster, Director LRM Projects on behalf of British Fluorspar Ltd, landowners

Members considered the report and in response to their queries officers explained the relevance of the planning history of the site to the current issue. The meeting then moved to consider the related Part B report.

RESOLVED:

That the Part A report be noted.

164/13 EXCLUSION OF THE PUBLIC

RESOLVED:

That the public be excluded from the meeting during consideration of the following Agenda Item to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Item No 21 under Paragraph 5 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings", paragraph 6 "Information which reveals that the Authority proposes — a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment" and paragraph 3 "Information relating to the business affairs of any particular person (including the Authority holding that information).

PART B

SUMMARY

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

165/13 21. REVIEW OF OLD MINERAL PERMISSION AT DEEP RAKE, HASSOP (LONGSTONE EDGE EAST): WHETHER THERE IS A DUTY TO MAKE A PROHIBITION ORDER (M.2382/CP/DGB/JEN/JJL)

RESOLVED:

That in the light of the information and factors set out in the Part A report and the conclusions referred to in the Part B report, the Authority makes a Prohibition Order under paragraph 3 of Schedule 9 of the 1990 Act and submits it to the Secretary of State for confirmation, preventing further mineral extraction under permission reference 1898/9/69 granted on 24 April 1952 and imposing restoration and aftercare conditions within the Order, giving notice to the landowners, mineral owners and any other person affected by the Order.

The meeting adjourned for a short break at 10.54am and reconvened at 11.02am.

PART A

166/13 7. REVIEW OF OLD MINERAL PERMISSION AT STANTON MOOR QUARRY (M2188./CP/DGB/JEN/JJL)

The Director of Land Use Policy introduced the report and reported that a letter in support of a prohibition order had been received from Andy Tickle of Friends of the Peak District, dated 12 November 2013, and which had also been received by Members. The letter was summarised for the Committee.

The following spoke under the public participation at meetings scheme:

- Mr R Eccleston, on behalf of Stanton in Peak Parish Council
- Mrs J Kidd on behalf of Stanton Against the Destruction of our Environment (SADE)
- Mrs A Zoyroydi, Stanton in Peak resident
- Mr A Gregory, Director of Blockstone Limited, tenants
- Mr A Davie-Thornhill, landowner

In response to Members' queries officers stated the appeal against the planning decision made in May 2012 was still held in abeyance with the agreement of both sides and the Planning Inspectorate whilst consideration of a Prohibition Order progressed.

The meeting then moved to consider the related Part B report.

RESOLVED:

That the Part A report be noted.

167/13 EXCLUSION OF THE PUBLIC

RESOLVED:

That the public be excluded from the meeting during consideration of the following Agenda Item to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Item No 22 under Paragraph 5 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings" and paragraph 3 "Information relating to the business affairs of any particular person (including the Authority holding that information).

PART B

SUMMARY

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

168/13 22. REVIEW OF OLD MINERAL PERMISSION AT STANTON MOOR QUARRY: WHETHER THERE IS A DUTY TO MAKE A PROHIBITION ORDER (M.2188/CP/DGB/JEN/JJL)

RESOLVED:

- 1. In the light of the information and factors set out in the Part A report and the conclusions referred to in the Part B report, the Authority DEFERS the decision on whether work has permanently ceased in respect of Stanton Moor Quarry.**
- 2. In order to bring this matter to a full conclusion, the Authority seeks to progress the Review of the Old Mineral Permission and in doing so imposes a four months deadline on the company to provide the information needed to do so.**
- 3. If the Review of the Old Mineral Permission cannot then be progressed because the necessary information is not provided by the company within the deadline specified then a further report to consider whether mineral winning and working has permanently ceased at the site be brought to Planning Committee.**

The meeting adjourned for a short break at 12.06pm and reconvened at 12.13pm.

PART A

169/13 8. FULL APPLICATION: THE REOPENING OF BURNTWOOD QUARRY, WITH LANDSCAPING AND NATURE CONSERVATION WORKS AND THE USE OF AN EXISTING ACCESS AND AGRICULTURAL SHED, FOR LIMITED PERIODS IN EACH YEAR FOR THE EXTRACTION OF STONE FOR THE CONSERVATION OF CHATSWORTH HOUSE, PARK AND GARDENS AND RELATED STRUCTURES WITHIN THE PEAK DISTRICT NATIONAL PARK (NP/DDD/0513/0392, M4947, 13/05/2013, 426863/366427, APB)

The following spoke under the public participation at meetings scheme:

- Mr Will Kemp, Planning and Development Manager, Chatsworth Estate

Members supported the re-opening of the quarry to provide stone specifically for the conservation of Chatsworth House and other buildings and structures in the adjoining Park and Gardens and the recommendation for approval subject to conditions was moved and seconded. It was agreed to include a condition regarding provision of a wheel wash for lorries before they left the quarry road. The motion for approval was then voted on and carried.

RESOLVED:

- 1. It is recommended that, subject to the prior completion of a Section 106 legal agreement whereby the applicants, and all those with an interest in the application site, formally agree to:**

'The primary use of the extracted stone solely for dimensional stone purposes for use on buildings and structures forming part of Chatsworth House, Park and Gardens, and secondary use for conservation/maintenance projects such as walling or road/track repairs on land within the Chatsworth Estate lying within the Peak District National Park, excluding any primary use for the purposes of aggregates'

that the application reference NP/DDD/0513/0392 be APPROVED subject to conditions covering the following matters (set out here in skeleton format):

- **Commencement – development to commence within three years from date of permission**
- **Duration – extraction shall cease and the site be completely restored not later than 15 years from the date of commencement of the development, with 5 year period of aftercare from completion of restoration.**
- **Ecological mitigation, including construction of bat house, erection of bat and bird boxes, bluebell translocation, control of silt deposition (*pre-commencement*)**
- **Woodland Management Plan – Submission of scheme detailing the Woodland Management Plan for 2.67 ha of land immediately adjoining the site, to be implemented upon approval (*pre-commencement*)**
- **Himalayan Balsam – submission of scheme detailing removal and prevention of spread of species (*pre-commencement*)**
- **Fencing – erection of fencing along the boundary of the site; internal fencing to demarcate the 2m buffer zone on north west edge of site which will not be subject to deposition of spoil (6.15 of RMP) (*pre-commencement*)**
- **Archaeology - submission of Written Scheme of Investigation; erection of protective fence to protect remnant industrial features (*pre-commencement*);**
- **Site access top field – submission of scheme for approval detailing access arrangements during construction phase and measures to minimise damage to agricultural field (*pre-commencement*)**
- **Walling – erection of dry stone wall along the eastern boundary of the site, to be completed within 12 months from commencement of development.**
- **Hours of operation – 08:00 -17:00 hours Monday – Friday; 08:00 – 13:00 hours on Saturdays; no working on Sundays, Bank or Public Holidays; except for emergency operations**
- **Traffic movements – no more than 4 movements per day between the storage shed and Chesterfield Road; up to 14 movements per day between the quarry and the storage shed during each operational 3 week period and up to 6 movements per day during each of the two 6 week periods falling outside of the two extractive phases each year.**
- **Phasing of works – development to be undertaken in accordance with the 6 phases identified in the application and revised information**
- **Phased tree removal in accordance with submitted plans**
- **Planting of tree species on the screening bund along eastern boundary in accordance with details specified in Restoration Management Plan**

- **Output limit (annual and absolute) – no more than 1,992 tonnes to be removed from the site per annum in years 1 – 14 following commencement of development; no more than 1,272 tonnes to be removed from site in year 15; total extracted stone leaving the site not to exceed 29,160 tonnes; provision of annual output records to Authority in January of each year**
 - **Storage of temporary stockpiles – not to be positioned in locations other than in accordance with details and plan submitted in application and not to exceed maximum 3m in height**
 - **Site access – not to use any access other than that specified in the application; maintain in good state of repair; undertake annual assessment of bridleway in liaison with representative of DCC Highways/PDNPA Rights of Way and any necessary repairs to be undertaken.**
 - **No vehicles to turn left on leaving the site; erection of sign on access road at junction with Chesterfield Road instructing HGV drivers to turn right out of the site; erection of signs on access road for PROW users and HGV drivers**
 - **Visibility splays – maintain for the duration of the development.**
 - **Soils management and use – retain proportion of stripped soils for use in construction of bund along eastern edge of site; remaining soils to be deposited on old quarry floor as identified in submitted plans in application.**
 - **Submission of restoration scheme based upon the details set out in the Restoration Management Plan (as amended to cater for 20 year timescale from commencement of development)**
 - **Decision notice – copy held on site**
 - **Noise – noise from the site not to exceed 54 dB LAeq(1hr) at nearest noise sensitive property**
 - **Blasting – no blasting permitted**
 - **Dust – make available facilities to include water bowser, to control dust problems arising**
 - **Lighting – no lighting permitted**
 - **Retail – no commercial sales permitted**
 - **Drainage and water pollution – prevention of slurry, water or other extraneous material flowing onto any part of public highway; no discharge of foul or contaminated drainage from site; suitable facilities for storage of oils, fuel or chemical; no vehicle maintenance except on impermeable areas**
 - **Restriction of PD rights – withdrawal of PD rights in respect of part 19 and 21 of GPDO 1995**
 - **Cessation of use of storage shed following completion of extractive phases**
 - **Removal of all plant, buildings (excepting the agricultural building used for storage) and machinery following cessation of extraction**
 - **Aftercare – submission of aftercare scheme to cover the statutory 5 year timeframe following completion of restoration, based upon the details included in the Restoration Management Plan**
 - **Wheel wash condition**
2. That authority be delegated to the Director of Planning and the Head of Law jointly to determine the details of the Section 106 agreement.

3. **That authority be delegated to the Director of Planning to approve the final details of the conditions in consultation with the Chair and Vice-Chair of the Planning Committee.**

The meeting adjourned for lunch between 12.45pm and 1.15pm.

Chair: Clr Mrs L Roberts

Present: Mr P Ancell, Miss P Beswick, Clr D Birkinshaw, Clr P Brady,
Clr D Chapman, Clr A R Favell, Clr Mrs H M Gaddum, Clr H Laws,
Mr G D Nickolds, Mr C Pennell, Clr Mrs K Potter, Clr P Rippon,
Clr Mrs J A Twigg.

170/13 17. FULL: PROPOSED SINGLE-STOREY SIDE EXTENSION, FELICINIS, RUTLAND MILL, COOMBS ROAD, BAKEWELL (NP/DDD/0913/0854, P.954, 422035 368554, 25/09/2013/KW)

The Environment Agency raised no objection and therefore the second proposed reason for refusal was withdrawn.

The officer reported that a further letter of representation had been received after the report was written from a third party on behalf of the applicant and this was summarised for the Committee.

Members were concerned about the design of the proposal and felt that it needed to be more sympathetic to the building and the surrounding area. Therefore the recommendation for refusal was moved, seconded, voted on and carried. Members requested that the applicant be made aware of the Members' views on the design and that officers work with the applicant/agent to find a satisfactory design if possible.

RESOLVED:

That the application be REFUSED for the following reason:

1. **By virtue of the form and massing of the extension, the nature and quality of materials used in its construction, and its adverse visual impact on its setting, it is considered the current proposals would harm the character and appearance of the host building, and fail to preserve or enhance its setting, which includes the designated Bakewell Conservation Area. Therefore, approval of the current application would be contrary to policies GSP1, GSP3 and L3 of the Core Strategy, saved policies LC4 and LC5 of the Local Plan, and national planning policies in the NPPF.**

171/13 18. DESIGNATION OF BAKEWELL NEIGHBOURHOOD AREA

Members considered the report on the proposed designation of the Bakewell neighbourhood area under the Localism Act 2011 Schedule 9. The recommendation to designate the neighbourhood area was moved, seconded, voted on and carried.

RESOLVED:

That the Authority designates the area of Bakewell civic parish as a neighbourhood area (the area shown on the map in Appendix 1 of the report), under the *Localism Act 2011 Schedule 9, section 61G*.

172/13 19. PLANNING APPEALS (A.1536/AMC)

Members considered and noted appeals lodged and decided during the month.

RESOLVED:

That the report be received.

173/13 EXCLUSION OF THE PUBLIC

The reason for considering this item as exempt information was queried by a Member. The Director of Planning stated that although the principles of the application could be debated in public, the relevant financial information that Members needed to be aware of should not.

RESOLVED:

That the public be excluded from the meeting during consideration of the following Agenda Items to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Item No 23 under paragraph 3 "Information relating to the business affairs of any particular person (including the Authority holding that information).

PART B

SUMMARY

The Committee considered information relating to the following item before returning to Part A business to determine the application and full details are contained in the exempt minutes.

174/13 23. FULL APPLICATION – PROPOSED AGRICULTURAL BUILDING TO HOUSE LIVESTOCK, FIVE ACRES FARM, NARROW GATE LANE, WARDLOW (NP/DDD/0413/0262, P.3714, 10/04/2013, 418126 374950/JRS)

PART A

175/13 9. FULL APPLICATION – PROPOSED AGRICULTURAL BUILDING TO HOUSE LIVESTOCK, FIVE ACRES FARM, NARROW GATE LANE, WARDLOW (NP/DDD/0413/0262, P.3714, 10/04/2013, 418126 374950/KW)

Clr D Chapman had declared a personal, prejudicial interest in this application and left the room.

The Director of Planning stated that condition 3 of the recommendation should be amended to state 'Building shall be used only for the purpose of agriculture and be removed when no longer required for agricultural purposes' and that 2 additional conditions should be included to cover landscaping of indigenous species and that the development should be carried out in accordance with the submitted plans. This was agreed.

The recommendation as amended was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Sheeting for walls and roof to be factory colour-coated slate blue and so maintained.**

2. **No existing trees to be felled, lopped, topped or uprooted without the Authority's prior consent. Any trees to be removed shall be replaced as part of a replanting scheme to be submitted and agreed in writing by the Authority.**
3. **Building shall be used only for the purposes of agriculture and be removed when no longer required for agricultural purposes.**
4. **Submission and agreement of a scheme of landscaping to comprise selective replanting using indigenous species.**
5. **Development shall be carried out in accordance with the submitted plans.**

Clr D Chapman returned to the room

176/13 10. FULL APPLICATION FOR THE DEMOLITION OF EXISTING BUILDING AND ERECTION OF A NEW DWELLING, FORMATION OF NEW VEHICULAR ACCESS AND CHANGE OF USE OF LAND TO FACILITATE FORMATION OF THE NEW ACCESS AT OLD NELLY'S, HIGH STREET, STONEY MIDDLETON (NP/DDD/0813/0746 P.10254 & 3818, 422788/375434)

The Director of Planning was not present for this item.

The Planning officer reported that comments on the amended plans had been received from the adjacent neighbour but they still objected to the application. The comments were summarised for the Committee. He stated that no comments had been received from the Parish Council.

In response to Members' queries it was agreed that an extra condition could be included to cover the details of the location of the air source heat pump.

The recommendation for approval subject to conditions, as amended, was moved, seconded, voted on and carried. Clr Mrs K Potter requested that her abstention from the vote be recorded.

RESOLVED:

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

1. **Three year statutory time limit**
2. **Development to be carried out in accordance with amended plans**
3. **Define residential curtilage with limestone walls prior to occupation**
4. **Agree details of any external lighting**
5. **Agree details of any external service connections/lines**
6. **Submit and carry out landscaping scheme**
7. **Submit and agree design details including:**
 - **Stonework & roofing materials including sample panel**
 - **Pointing**
 - **Sills & Lintels to doors and windows**
 - **Timber windows & doors recessed in reveals**
 - **Joinery details to be submitted**

- Rainwater goods
- All pipework internal
- Verge detailing
- Flue pipe
- Details of air source heat pump to be submitted
- Retention and reintroduction of existing fire place
- Levels to be submitted and agreed

8. **Removal of permitted development rights for alterations, extensions, outbuildings etc.**
9. **Highway conditions, including provision of access and parking areas, prior to commencement of works**
10. **Ecology measures to be implemented**
11. **Submit and agree precise location of the air source heat pump.**

177/13 11. FULL: CHANGE OF USE OF LAND FROM AGRICULTURE TO USE AS A CAMPING AND CARAVANNING SITE TOGETHER WITH STONE PERIMETER ACCESS TRACK AND 12 CARAVAN PLACEMENTS (6m x 4m), SHELDON HOUSE FARM, GRINDON (NP/SM/0513/0360 P.1635 406865/355071 28/10/2013/CF)

The Planning officer amended the report on pages 13 and 15 by removing the references to 'Gun Quarry' and replacing them with 'Quarry Farm'.

The following spoke under the public participation at meetings scheme:

- Ms S Howard, on behalf of Parsons Lane Residents Association, objectors
- Mr J Norman, Objector
- Mr J Askey, Objector
- Mr R Pattinson, Agent

Members were concerned about the impact of the proposal on the landscape and the amenity of the nearest neighbours. Therefore a motion for refusal was moved and seconded. This was then voted on and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

1. **The proposal would cause significant and harmful visual impact and detract from the landscape.**
3. **By virtue of the adverse impact on the tranquillity of the local area, the proposals would harm the valued characteristics of the National Park.**

178/13 12. FULL APPLICATION – ERECTION OF ONE 10KW WIND TURBINE, 18M TO HUB AND BASE TO BLADE TIP HEIGHT OF 21.6M AT BOOTH FARM, HOLLINSCLOUGH. (NP/HPK/0813/0748 405575/368046 P10689 SPW/CF 25/10/2013).

The Planning officer reported that the Environmental Health Officer had no objections regarding noise impact on nearby properties.

The following spoke under the public participation at meetings scheme:

- Mr P Marriott, objector

The recommendation for refusal was moved, seconded, voted on and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. By virtue of its size, scale and its location, the proposed development would have a significant adverse visual impact on its landscape setting, which would be exacerbated by the motion of its blades. Therefore, the proposed development would significantly harm the scenic beauty and other valued characteristics of the National Park and the application is contrary to Core Strategy policies GSP1, GSP3, CC2, L1, and L2 and Local Plan policies LC4, LU4, LC15, and LC16 contrary to guidance in the Authority's Climate Change and Sustainable Building Supplementary Planning Document, contrary to the landscape conservation objectives for the National Park set out in the Authority's Landscape Strategy and Action Plan, and contrary to government guidance in the National Planning Policy Framework and supporting Planning Practice Guidance For Renewable And Low Carbon Energy.**
- 2. In this case any environmental, economic and social benefits of approving the proposed development would be outweighed by the harm to the valued characteristics of the National Park, identified above. Therefore, the proposals do not constitute sustainable development and any approval would be contrary to Core Strategy Policy GSP1 and contrary to government guidance in the National Planning Policy Framework and Planning Practice Guidance For Renewable And Low Carbon Energy.**
- 3. Information, such as bird surveys completed by a suitably qualified ecologist, has not been provided to ascertain if there would be any adverse and significant impacts on Schedule 1, UK and local BAP bird species associated with the upland habitats within and surrounding the application site. Therefore, harm to these species cannot be ruled out so the proposal is contrary to Core Strategy Policies GSP1, L2, and Local Plan Policy LC17, guidance in the Authority's SPD Climate Change and Sustainable building (March 2013) and government guidance on safeguarding wildlife and biodiversity in the National Planning Policy Framework and Planning Practice Guidance For Renewable And Low Carbon Energy.**
- 4. The proposal would have both a physical and visual impact on surviving archaeological remains, would fail to conserve known archaeological interest and by virtue of its siting would physically harm existing archaeological interest. The proposal is therefore contrary to Core Strategy policies GSP1, L1, L3 and Local Plan policies LC15 and LC16, and guidance in the Authority's SPD for Climate Change and Sustainable Building. There is otherwise no assessment of the impact on heritage assets within the local area included with the application contrary to government guidance in the National Planning Policy Framework and Planning Practice Guidance For Renewable And Low Carbon Energy.**

The meeting was adjourned for a short break at 3.11pm and reconvened at 3.16pm.

179/13 13. FULL APPLICATION – ERECTION OF WIND TURBINE, 15M TO HUB AND BASE TO BLADE TIP HEIGHT OF 17.8M, EDGE TOP FARM, LONGNOR (NP/SM/0713/0622, P.2659, 410730 / 362930, 25/10/2013/AM)

It was noted that this application had been withdrawn by the applicant.

180/13 14. FULL APPLICATION – CONVERSION AND CHANGE OF USE FROM DISUSED AGRICULTURAL BARN TO OPEN MARKET DWELLING, LANE END FARM, ABNEY, (NP/DDD/0213/0097, P1660, 07.02.2013, 419924 379933/KW)

The Director of Planning, John Scott, reported to the meeting that he had advised the applicant in 2003 before becoming an employee of the Authority but that he had no interest to declare in this application.

The following spoke under the public participation at meetings scheme:

- Ms G Scotford, Accessible Derbyshire, supporter
- Mr R Bardwell, supporter

Members were concerned about the level of enhancement in the proposed scheme in view of the demolition of Barn 3 opening up views of a dilapidated building to the rear, therefore a motion for deferral to allow for further consideration of enhancement works to this area which would also allow officers and the agent to consider the precise wording of the proposed section 106 agreement, was voted upon and carried.

RESOLVED:

That consideration of the application be DEFERRED to allow for further consideration of enhancement works to the rear of the barn and to allow consideration of the precise wording to be included within the proposed S106

3.50pm Clr Mrs H M Gaddum left the meeting.

181/13 15. FULL APPLICATION – CHANGE OF USE OF AGRICULTURAL BUILDING TO STORAGE AREA FOR MOBILE TOILETS AND USE OF STORAGE TANK FOR THE STORAGE OF THE WASTE FROM THE TOILETS (APPLICATION FOR PERMANENT CONSENT FOLLOWING TEMPORARY CONSENT GRANTED ON 25 SEPTEMBER 2012, REF NP/DDD/0512/0533) AT WHITE HOUSE FARM, WARDLOW (NP/DDD/0813/0716, 14/08/2013, P2892, 418126/374950/JK)

Clr D Chapman had declared that he had no interest in this item but due to previous history with this site he would withdraw from the room for the duration of the consideration of this item.

The following spoke under the public participation at meetings scheme:

- Mrs J Middleton, objector
- Mr A Atkins, Agent

The recommendation for approval subject to conditions was moved and seconded. The motion was voted on but lost.

A motion for refusal on the grounds of inappropriate business use in a residential area and detrimental impact on residential amenity by virtue of odour, with reference to Core Strategy policy CC3 was moved and seconded. This was voted on and carried. Clr D Birkinshaw requested that his vote against the motion be recorded.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. Inappropriate business use in a residential area**
- 2. Detrimental impact on residential amenity from odour.**
- 3. Contrary to Core Strategy policy CC3, importation of waste.**

4.22pm Cllr A R Favell and Cllr P Rippon left the meeting.

182/13 16. FULL APPLICATION - CONSTRUCTION OF REPLACEMENT DWELLING AT BRACKENBURN, RIDDINGS LANE, CURBAR (NP/DDD/0913/0809, P.5848, 424795/375182, 31/10/2013/AM)

The Planning officer reported that the Highway Authority had stated that they preferred the retention of the existing vehicular access as the plans showing the amended access position fell below visibility requirements and did not demonstrate an improvement to highway safety compared to the existing. He then amended the recommendation in the report by omitting conditions 13, 14, 17, 18, amending condition 2 to add the omission of the proposed access and amending condition 15 by omitting the words 'the revised drawings' and replacing them with 'amended drawings that shall be submitted and agreed with the Authority showing the retention of the existing the access'.

The following spoke under the public participation at meetings scheme:

- Mr M Games, objector
- Dr P Owens, objector
- Mr M Games read out a statement from Cllr D Nicholson, Chair of Curbar Parish Council, who had given notice to speak but then was unable to attend the meeting.
- Mr N Baseley, Agent

The recommendation for approval subject to the amended conditions was moved and seconded. The motion was voted on and carried. Cllr Mrs K Potter requested that her vote against the motion be recorded.

RESOLVED:

That the application be APPROVED subject to the following conditions.

- 1. Statutory 3 year time limit for implementation.**
- 2. Development not to be carried out otherwise than in accordance with specified amended / approved plans and subject to the omission of the proposed new access**
- 3. Removal of permitted development rights for external alterations, extensions outbuildings, hard standing, walls, fences and other means of enclosure to approved dwelling.**
- 4. Development shall be built to a minimum of the Government's Code Level for Sustainable Homes Level (or its successor) required of Registered Social Landlords at the time of commencement of the building works.**

5. No development shall take place until a design stage assessment (under the Code for Sustainable Homes or its successor) has been carried out and a copy of the summary score sheet and Interim Code Certificate indicating that the development can achieve the stipulated final Code Level (or any such national mechanism that replaces this) have been submitted to and approved in writing by the National Park Authority.
6. Prior to the occupation of the dwelling hereby approved, a copy of the summary score sheet and Post Construction Review Certificate (under the Code for Sustainable Homes or its successor) shall be submitted to the Authority verifying that the agreed standards have been met.
7. No development shall take place until full details of finished floor levels have be submitted to and agreed in writing by the National Park Authority.
8. Prior approval of detailed scheme of landscaping (including planting, earth mounding, re-seeding, walls, gates and hard standing) to be implemented as part of the development.
9. Existing outbuildings to be demolished prior to the occupation of the dwelling hereby approved.
10. Any new services to be placed underground.
11. Conditions to specify architectural and design details for the dwelling and garage including, stonework including agreement of sample panel, roof materials, windows and door design and finish, roof lights and rainwater goods.
12. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading / unloading and manoeuvring of goods vehicles, designed, laid out and constructed all to the satisfaction of the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.
13. The premises, the subject of the application, shall not be occupied until space has been provided for off street parking in accordance with amended drawings that shall be submitted and agreed with the Authority showing the retention of the existing access, laid out and constructed all as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to its designated use.
14. Prior to the occupation of the dwelling hereby approved details of the bin storage shall be submitted and approved in writing by the National Park Authority. All bins to be stored in accordance with the approved details
15. The outbuildings shall be ancillary to the main dwelling only and the garaging shall be retained for the parking of domestic vehicles at all times.
16. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted protected species survey.

The meeting ended at 4.58pm.

