
AGENDA ITEM No. 2

MINUTES

<u>Meeting:</u>	Planning Committee
<u>Date:</u>	13 September 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 P Brady, Clr C Carr, Clr D Chapman (from item 7), Clr A Favell, Clr Mrs H M Gaddum, Clr Mrs N Hawkins, Mr G Nickolds, Mr C Pennell, Clr Mrs K Potter, Clr Mrs J A Twigg. Clr Ms E Wilcox
<u>Apologies for Absence:</u>	Clr D Birkinshaw, Clr H Laws and Clr P Rippon.

126/13 MINUTES

The minutes of the meeting held on 9 August 2013 were approved as a correct record.

127/13 PUBLIC PARTICIPATION

24 members of the public had given notice to speak at the meeting.

128/13 MEMBERS' DECLARATION OF INTERESTS

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

Item 6

- Clr E Wilcox, personal interest as she would be considering this proposal at a meeting of the Regeneration Select Committee at High Peak Borough Council.

Item 7

- It was noted that all Members had received an email from Julie Kidd on behalf of Stanton Against Destruction of our Environment (SADE)
- Clr Mrs K Potter advised the Committee that although this application had been discussed at a meeting of Parish Council she withdrew from the meeting during the discussion.
- Miss P Beswick, Clr Mrs K Potter and Mr C Pennell, personal interest as members of English Heritage
- Clr Mrs Potter declared a personal interest as she owns land contiguous to the first entrance to Stanton Moor but not contiguous with the proposed operations.
- Clr Mrs K Potter, personal interest as a member of CPRE

Item 8

- It was noted that all Members had received an email from Julie Kidd on behalf of SADE
- Cllr Mrs K Potter, personal interest as a member of CPRE
- Cllr Mrs K Potter advised the Committee that although this application had been discussed at a meeting of Parish Council she withdrew from the meeting during the discussion.
- Miss P Beswick, Cllr Mrs K Potter and Mr C Pennell, personal interest as members of English Heritage
- Mr C Pennell as a member of Friends of the Peak District.
- Cllr Mrs Potter declared a personal interest as she owns land contiguous to the first entrance to Stanton Moor but not contiguous with the proposed operations

Item 9

- Miss P Beswick, Cllr Mrs K Potter and Mr C Pennell, personal interest as members of English Heritage
- It was noted that Mr C Pennell had received a telephone call from Dr P Owens regarding the methodology of assessment in applications relating to wind turbines.
- Cllr Mrs K Potter also received a telephone call from Dr P Owens.

Item 10

- It was noted that Mr C Pennell had received a telephone call from Dr P Owens regarding the methodology of assessment in applications relating to wind turbines.
- Cllr Mrs K Potter also received a telephone call from Dr P Owens.

Item 11

- It was noted that Mr C Pennell had received a telephone call from Dr P Owens regarding the methodology of assessment in applications relating to wind turbines.
- Cllr Mrs K Potter also received a telephone call from Dr P Owens.

Item 12

- Cllr Mrs L Roberts, personal interest as the applicant had considered the purchase of her property before deciding to purchase the application site.

Item 14

- It was noted that all Members had received an email from Mr I Ankers, the applicant's agent.
- Cllr Mrs H Gaddum stated that she had received a telephone call from the applicant, Mr Baxter, who had raised concerns about the handling of the application.

Item 15

- It was noted that all Members had received emails from Cate Hammond on behalf of Grindleford Community Shop Project.

Item 17

- Miss P Beswick, Personal Prejudicial interest as she was a resident of Chapel Row, Curbar and had raised objection to the application.

Item 23

- Miss P Beswick, Cllr Mrs K Potter and Mr C Pennell, personal interest as members of English Heritage

129/13 6. DESIGNATION OF WHALEY BRIDGE AND FURNESS VALE NEIGHBOURHOOD AREA

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

RESOLVED:

To designate that part of Whaley Bridge parish that is within the National Park as part of the Whaley Bridge and Furness Vale Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Localism Act 2011 Schedule 9, section 61G.

130/13 8. PLANNING APPLICATION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT: PROPOSED CONTINUATION AND EXTENSION OF DIMENSIONAL STONE MINERAL EXTRACTION AND ASSOCIATED OPERATIONS AND DEVELOPMENT AT BIRCHOVER QUARRY, BIRCHOVER ROAD, BIRCHOVER, DERBYSHIRE (NP/DDD/0312/0257/M601 CNFD)

It was noted that the Chair had agreed to vary the order of business so that item 8 be considered before item 7.

It was noted that this application had been the subject of a site visit.

The Director of Land Use Policy advised the Committee of an additional condition to give delegated authority to him to finalise detailed conditions following consultation with the Chair and Vice Chair of the Planning Committee. He also said that if requested officers would provide Members with more details on the proposed conditions summarised in the second recommendation. He advised the Committee of the addition of the words 'of implementation' into Recommendation 1. During discussion it was also agreed that the maximum tonnage extracted be limited by conditions.

The recommendation was moved, seconded, voted upon and carried. Following the vote Cllr Mrs N Hawkins and Cllr Mrs K Potter asked that their votes against the decision be recorded.

RESOLVED:

That the application be APPROVED subject to:

- 1. A Section 106 Legal Agreement entered into by the applicant and land owners to include planning obligations to cover: the continued operation of the quarry and associated development under the terms of the new permission from the date of implementation of that permission; the relinquishment / revocation of all extant mineral planning permissions for the site namely the two ministerial permissions for winning and working gritstone / sandstone and permissions for buildings; the end use of stone**

exported and quantity of the stone imported; an annual inspection of the highway and the repair to the highway attributable to the development.

2. Conditions covering the following broad issues:

- Implementation timescales
- Duration for the winning and working of mineral to 31 March 2040, backfilling of quarry waste to 30 June 2040, the removal of buildings and restoration completed by 30 June 2041.
- The site and approved details
- Ancillary development
- New workshed development
- Working scheme including phasing
- Restoration
- Landscaping
- Biodiversity and habitat creation
- Aftercare and management
- Recreational access provision
- Hours of working (quarrying operations 07:00 to 18:00 hours Mondays to Thursdays, 07:00 to 16:00 hours Fridays, 07:00 to 12:00 hours Saturdays; stone processing 24 hours per day Mondays to Thursdays, 06:00 to 16:00hours Fridays, 07:00 to 12:00 hours Saturdays).
- Haulage and highway details
- Output and resource monitoring
- Site access, parking and transportation
- Stone storage and product stockpiling
- Quarry waste control
- Planting
- Ecology
- Tree protection
- Soils conservation and use
- Archaeology
- Landscape
- Noise
- Blasting
- Dust, Smoke and Fumes
- Lighting
- Drainage and water pollution
- Use and colour of new building (Van Dyke Brown BS.08B29)
- Restrict permitted development rights (buildings, structures, plant machinery)
- Ultimate site clearance
- Limit on tonnage extracted

3. To delegate authority to the Director of Land Use Policy to finalise detailed conditions following consultation with the Chair and Vice Chair of the Planning Committee.

Following consideration of this item the meeting was adjourned from 11.25am to 11.30pm. After the adjournment Cllr D Chapman joined the meeting.

131/13 7. PROPOSED IMPORTATION OF QUARRY SPOIL FROM BIRCHOVER QUARRY FOR FINAL RESTORATION OF THE UPPER PART OF BARTON HILL QUARRY, RESTORATION OF DISTURBED LAND WITHIN AN AREA OF THE FORMER DUNGEON QUARRY, AND PROVISION AND USE OF A TEMPORARY HAUL ROUTE FOR DUMPERS, LAND AT BARTON HILL QUARRY, DUNGEON QUARRY AND BIRCHOVER QUARRY, BIRCHOVER (NP/DDD/0510/0515/M5696/CNFD)

It was noted that this application had been the subject of a site visit.

Clr D Chapman declared a personal interest in this application as he rents land from the Thornhill Estate. He also declared that although he had a personal interest as he knew a member of SADE he had not discussed the application with them.

The Director of Land Use Policy advised the Committee of an additional condition to give delegated authority to him to finalise detailed conditions following consultation with the Chair and Vice Chair of the Planning Committee.

The recommendation for approval was moved, seconded, voted upon and carried subject to an additional condition to protect established trees on the site. Following the vote Clr Mrs K Potter and Clr Mrs N Hawkins asked that their votes against the decision be recorded.

RESOLVED:

That the application be APPROVED subject to:

- 1. Prior completion of a Section 106 Legal Agreement entered into by the applicant and those with an ownership interest in the land to include the footpath creation, adoption, concessionary use and maintenance for use by the public and associated fencing, dry stone walling and waymarker posts, no further tipping at Birchover Tip, the surfacing of the dedicated public car park and erection of a Stanton Moor information board**
- 2. Conditions covering: time limit for implementation, site details, duration of the development (3 months), adopt submitted plans, working method, access and highway details, controls on noise, dust, smoke, fumes and waste, hours of working (Monday to Friday 07:00 hours to 18:00 hours and Saturday 07:00 hours to 13:00 hours with no working on Sunday or public holidays), pedestrian safety control of ancillary development, protection of natural environment including trees, soil recovery, restoration, drainage, landscaping, aftercare, habitat creation and management, and community access provision.**
- 3. To delegate authority to the Director of Land Use Policy to finalise detailed conditions following consultation with the Chair and Vice Chair of the Planning Committee.**

Clr D Chapman declared a personal prejudicial interest in Item 9 as he was a friend of the applicant and had carried out work relating to their farm.

In relation to Item 13 Clr Chapman declared a personal interest as he had been contacted as the Derbyshire Dales District Councillor by Flagg Parish Council and had agreed to bring their concerns to the Committee.

Clr D Chapman also declared a personal prejudicial interest in Item 16 as he was a friend of the applicant.

And finally in relation to Item 18 Clr D Chapman declared a personal prejudicial interest in Item 18 as he was a good friend of the applicant who was also a fellow member of the Hope Show Executive Committee.

132/13 9. FULL APPLICATION – ERECTION OF WIND TURBINE, 18M TO HUB AND BASE TO BLADE TIP HEIGHT OF 24.9M, CASKINLOW FARM, NEWHAVEN (NP/DDD/0413/0297, P.1121, 415087 / 362060, 20/08/2013/AM)

It was noted that this application had been the subject of a site visit.

Clr D Chapman declared a personal prejudicial interest in this application as he was a friend of the applicant and had carried out work relating to their farm. He left the meeting during consideration of this item.

Clr Mrs K Potter declared a personal interest in this application as she knew the applicant and their family when they lived in her hamlet.

Clr Ms E Wilcox declared a personal interest in this application as in her role at Derbyshire County Council she was involved in negotiations with English Heritage regarding her possible appointment as an English Heritage Champion.

The Committee were advised that English Heritage had commented on the application and raised concerns about the impact of the proposals on the setting of prehistoric monuments.

The following spoke under the Public Participation Scheme:

- Dr Owens, Objector
- Claire Harness, Bowler Energy, Agent

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposed development would have a significant adverse visual impact and would significantly harm the scenic beauty of the National Park, contrary to Core Strategy policies CC2 and L1, Local Plan policy LU4 and the Authority's Climate Change and Sustainable Building Supplementary Planning Document.**
- 2. The proposed development would significantly harm the setting of Arbor Low Henge, Gib Hill oval barrow and bowl barrow, Brundcliffe hlaew and Lean low bowl barrow, contrary to Core Strategy policies CC2 and L3 and Local Plan policies LC15 and LC16.**
- 3. Insufficient evidence has been provided to allow the Authority to conclude that the proposed development would not harm local Lapwing populations, contrary to Core Strategy policy L2 and Local Plan policy LC17.**
- 4. In this case the environmental, economic and social benefits of the proposed development are outweighed by the harm that has been identified**

and therefore any approval would be contrary to Core Strategy Policy GSP1 and the National Planning Policy Framework.

Clr D Chapman returned to the meeting at 12.05pm following consideration of this item.

133/13 10. FULL APPLICATION – ERECTION OF ONE WIND TURBINE, 15M TO HUB AND BASE TO BLADE TIP HEIGHT OF 18.5M AT FARMOOR FARM, BUTTERTON MOOR. (NP/SM/1212/1221 405803/357023 P2685 SPW 19/8/2013)

It was noted that this application had been the subject of a site visit.

The following spoke under the Public Participation Scheme:

- Dr Owens, Objector
- Mr R Ford, Agent

The recommendation for refusal was moved, seconded, voted upon 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 and would significantly harm the scenic beauty of the National Park, contrary to Core Strategy policies GSP1, GSP3, CC2 and L1, Local Plan policies LC4 and LU4 and the Authority's Climate Change and Sustainable Building Supplementary Planning Document.**
2. **In this case any environmental, economic and social benefits of approving the proposed development would be far outweighed by the harm to the valued characteristics of the National Park identified above, and therefore any approval would be contrary to Core Strategy Policy GSP1 and Government guidance in the National Planning Policy Framework.**

134/13 11. FULL APPLICATION – ERECTION OF WIND TURBINE, 15M TO HUB AND BASE TO BLADE TIP HEIGHT OF 17.75M, DALE HOUSE, MIXON, ONECOTE (NP/SM/0113/0066, P.3105, 403346 / 356728, 27/08/2013/AM)

It was noted that this application had been the subject of a site visit.

The following spoke under the Public Participation Scheme:

- Dr Owens, Objector
- Mr P Hopewell, Applicant

The recommendation for refusal was moved, seconded, voted upon and carried. It was noted that if in future the applicant re-submitted a similar application they would be asked to supply information to address the Committee's concerns about the impact on the landscape by completing a bat survey to rule out the possibility that the turbine could be located closer to the house.

RESOLVED:

That the application be REFUSED for the following reason:

1. **Insufficient evidence has been provided to allow the Authority to conclude**

that the proposed development would not harm local bat populations contrary to Core Strategy policy L2 and Local Plan policy LC17.

135/13 13. FULL APPLICATION - CHANGE OF USE OF LAND FROM AGRICULTURE TO A CARAVAN AND CAMPING FIELD; CHANGE OF USE OF AGRICULTURAL BARN TO A FUNCTION ROOM; AND CHANGE OF USE OF AN EXISTING STABLE BLOCK TO HOUSE TOILETS AND OTHER ANCILLARY CAMPSITE FACILITIES, BULL I'TH' THORN, FLAGG (NP/DDD/0513/0385 P.9608 412814/366528 27/8/2013/CF)

Clr D Chapman stated that he had been contacted by the Chair of Flagg Parish Council regarding the application site. He had offered no opinion on the proposals but agreed to bring Parish Council observations to the attention of the Committee.

The Chair agreed to consider item 13 before item 12 as the Committee were ahead of schedule and applicant for item 12, who had registered to speak, had not arrived.

The recommendation for approval was moved, seconded subject to two additional conditions to limit permission for the change of use to a function room being limited up to 31 October 2014 and to prevent amplified music outside the buildings after 11pm. The motion was put to the vote and carried.

RESOLVED:

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

- 1. The conversion of the stable block hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans.**
- 3 Uses to remain linked to the operation of the Bull i'th' Thorn as a Public House**
- 4 The public house, function room, utility block and the camping and caravanning site shall be maintained as a single planning unit throughout the lifetime of the development hereby permitted.**
- 5 In the event the public house closes or ceases to operate within an A4 use class, the use of the camping and caravanning site and function room hereby permitted shall be discontinued within three months of the date the public house closed or ceased to operate within an A4 use class.**
- 6 No use of the site at the Bull i'th' Thorn hereby approved for camping and caravanning shall take place after 31 October 2013 until full details of a landscaping scheme, including details of species mix, numbers of plants, and size of plants to be planted, have been submitted to and approved in writing by the National Park Authority.**
- 7 No use of the site at the Bull i'th' Thorn hereby approved for camping and caravanning shall take place after 1 March 2014, until the landscaping tree and shrub planting subject of Condition 5 (above) has been carried out in complete accordance with the approved details. Thereafter, any trees or plant which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species or in accordance with an alternative scheme previously agreed**

in writing by the National Park Authority.

- 8 The total number of tents and caravans on the site at any one time shall not exceed 10 between 31st of October in any one year and the 31st of March in the succeeding year, at any other time, the total number of tents and caravans on the site at any one time shall not exceed 40.
- 9 Other than mobile recreational vehicles, no caravan or structure shall be placed anywhere within the red-edged application site which is not capable of being towed on a public highway by a private family car.
- 10 No single tent or caravan shall be retained on site for a consecutive period exceeding 28 days in any calendar year.
- 11 No caravan or tent shall be occupied as a permanent residence.
- 12 The use of the function room hereby permitted shall not be carried out between the 31st of October and 31st of March in the succeeding year or after 11:00pm or before 11:00am on any other day during the lifetime of the development permitted.
- 13 The level of noise emissions from events held within the red-edged application site at any time during the lifetime of the development hereby permitted when measured at dwellings that lawfully exist at the date of this permission shall not exceed either 40dB, or 5 dB above prevailing background noise levels, whichever is the greater.
- 14 The proposed use of the site for touring caravans and tents shall not take place other than within the red-edged application site and no other part of the land at Bull i'th' Thorn within the blue-edged land in the applicant's ownership shall be used to site caravans or tents at anytime during the lifetime of the development hereby permitted.
- 15 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no development required by the conditions of a site licence for the time being in force under the 1960 Act shall be carried out or erected on the site without the National Park Authority's prior written consent.
- 16 Prior to 31 March 2014, a 4m parallel sightline shall be provided across the land fronting Ashbourne Road in the control of the applicant. Thereafter, there shall be no tents/caravans/mobile homes or any other structure, signage or planting sited in advance of this sightline in the field to the immediate north-west of Hutmoor Butts throughout the lifetime of the development hereby permitted.
- 17 The access track and parking provision shown on the application drawings shall be completed prior to 31 March 2014 and shall be maintained thereafter free from any impediment to their designated use for the lifetime of the development hereby permitted.
- 18 The function room shall have a temporary permission ending on 31 October 2014.
- 19 There shall be no amplified music outside of the buildings after 11pm on any day.

In accordance with Standing Orders, Members considered whether to extend the meeting beyond 1pm. The motion to continue was moved, seconded, voted upon and carried.

RESOLVED:

That the meeting continue beyond 1pm.

136/13 12. FULL APPLICATION - CREATION OF SEASONAL CAMPSITE, CONVERSION OF OUTBUILDINGS TO CREATE HOLIDAY ACCOMMODATION AND TO CREATE SHOWER / TOILET BLOCK ANCILLARY TO CAMPSITE USE, DEMOLITION OF OTHER REDUNDANT OUTBUILDINGS AND ASSOCIATED LANDSCAPING, HAZEL BARROW FARM, UPPER HULME (NP/SM/0613/0466) P.740 401715/363589 28/08/2013/AM)

The Head of Law reminded the Committee that Cllr Mrs L Roberts, had declared a personal interest as the applicant had considered the purchase of her property before deciding to purchase the application site.

Cllr Mrs N Hawkins declared a personal interest as she had previously worked with Mr Sutcliffe speaking on behalf of the objectors.

The Officer reported on amendments to the proposed conditions relating to foul water drainage, submission of a Landscape Management Plan, highway matters and removal of permitted development rights.

The following spoke under the Public Participation Scheme:

- Mr Michael Sutcliffe speaking on behalf of objectors
- Mr Tom Squibb, Applicant

The amended recommendation for approval was moved, seconded, voted upon and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions or modifications:

- 1. The proposed development shall be commenced within 3 years**
- 2. Development not to be carried out otherwise than in accordance with specified amended / approved plans.**
- 3. No development should take place until full details of foul water drainage are submitted to and agreed in writing by the Authority and thereafter put in place before the uses go ahead.**
- 4. Demolition of buildings and related landscaping to be carried out before first occupation of holiday let.**
- 5. Details of wildlife enhancements for bats and birds to be agreed prior to commencement and implemented as part of the development.**
- 6. Conversion to be carried out within shell of existing buildings only with no re-building.**

7. Any new services to be placed underground.
8. Restrict external lighting.
9. Occupancy restriction and ancillary ties to be applied to holiday accommodation.
10. Conditions to specify architectural and design details for the holiday let including stonework, roof materials, joinery details, rainwater goods and verge finish.
11. Removal of permitted development rights from holiday let.
12. Restrict campsite use to the area defined on the amended plan.
13. Restrict use of the campsite to tents only and no motor homes or caravans of any type.
14. Restrict the maximum number of tents on site at any one time to 13.
15. No single tent to be retained on site for a period exceeding 28 days in any calendar year.
16. No tents shall be placed or retained within the red edged application site between the 8th March and the 25th July in any one year and no tents shall be placed or retained at all within the blue edged area (shown on the submitted site location plan).
17. Remove permitted development rights for development required by the conditions of a site licence.
18. Restrict parking to the parking area shown on the approved plans only, no vehicles to be parked within the camping field.
19. Restrict external lighting and flood lighting.
20. Campsite to be landscaped and seeded and defined with new dry stone walling in accordance with the approved plans before the first use of the campsite.
21. No development shall take place until a full Landscape Management Plan for the management of land within the blue edged area is submitted to and approved in writing by the Authority prior to the first use of the campsite and the land shall be managed in accordance with the approved plan.
22. Amenity block not to be used other than ancillary to the approved campsite at Hazel Barrow Farm.
23. Details of wildlife enhancements for bats and birds to be agreed prior to commencement and implemented as part of the development.
24. Conditions to specify architectural and design details for the amenity block including stonework, roof materials, joinery details, rainwater goods and verge finish.
25. Removal of permitted development rights from amenity block.

26. Conditions as suggested by the County Highway Authority:

- Access, turning and parking spaces to be provided before the holiday let or campsite comes into use.
- Surface treatments to be agreed before creating spaces
- Improvements to access (widening and disposal of materials)
- Public footpath sign reinstated before commencement of works

27. No changes of use of the building hereby permitted from purposes other than agricultural without the Authority's prior written consent.

Members broke for lunch between 1.45pm and 2.20pm.

Chair: Clr Mrs L C Roberts

Present: Mr P Ancell, Miss P Beswick, Clr P Brady, Clr C Carr, Clr D Chapman, Clr Mrs H M Gaddum, Clr Mrs N Hawkins, Mr G Nickolds, Mr C Pennell, Clr Mrs K Potter, Clr Mrs J A Twigg. Clr Ms E Wilcox

Apologies for Absence: Clr D Birkinshaw, Clr A Favell (on other Authority business), Clr H Laws and Clr P Rippon.

Miss P Beswick declared a personal interest in Item 15 as she knew one of the speakers Mr O'Brien who was a member of the SDF.

137/13 14. FULL APPLICATION - RENOVATIONS AND EXTENSIONS TO FARM HOUSE; CONVERSION OF OUTBUILDINGS AND ERECTION OF ANCILLARY BUILDINGS, HANNEL FARM, SWYTHAMLEY (NP/SM/0613/0481, P2507, 396124/363996 20/08/2013/LB)

It was noted that this application had been the subject of a site visit.

The following spoke under the Public Participation Scheme:

- Mr Ian Anchors, Agent

A motion to approve the application, subject to conditions, was moved, seconded, put to vote and lost.

The officer recommendation to refuse was then moved and seconded, put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following reason:

1. **By virtue of the size, scale, form and massing of the proposed development, the amended scheme of extensions and alterations to the existing group of buildings at Hannel Farm would harm their locally distinctive character and fail to conserve or enhance the farmhouse and contingent outbuildings. Therefore, the amended application does not accord with policies GSP1 and GSP3 of the Core Strategy and conflicts with policies LC4, LH4, LH6 and LC8 of the Local Plan.**

138/13 15. FULL APPLICATION – CHANGE OF USE FROM SHOP TO FOOD TAKEAWAY, COUNTRY CHOICE, MAIN ROAD, GRINDLEFORD (NP/DDD/0513/0429, P.11009, 19.6.2013, 424382 377692/KW)

The Head of Law reminded the meeting that Miss P Beswick had declared a personal interest as she knew one of the speakers Mr P O'Brien as a member of the Social Development Fund Panel

Officers amended the final paragraph of the history section of the report to reflect that the proposed change of use requested was from A1 to A5 use.

The following spoke under the Public Participation Scheme:

- Mr Tony Beardshaw, speaking on behalf of Mrs Beardshaw a neighbour of the site, Objector
- Mr Peter O'Brien, local resident and Objector
- Mr John Mottershaw, local resident and Objector.
- Mr Howard Molyneux, local resident and Objector
- Professor David J Allerton, local resident and Objector
- Mr Lionel Stout, Grindleford Community Shop Ltd, Objector
- Mr Michael Peckett, Applicant

A motion to refuse the application was moved, seconded, put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposed change of use to hot food takeaway with late night opening and limited parking is unsuitable for a building located in a residential area.**
- 2. The applicant has not provided sufficient evidence that the current use of a village shop is not viable or that the property has been adequately marketed for this use.**

The meeting was adjourned from 3.55pm and 4.00pm following consideration of this item. Cllr Mrs N Hawkins, Cllr C Carr and Cllr Mrs H Gaddum left the meeting during the adjournment.

139/13 16. 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)

Miss P Beswick declared a personal interest in this item as, through business, she knew Mrs J Middleton, one of the public speakers.

The Head of Law reported that Cllr D Chapman had declared a personal prejudicial interest in this item as he knew the applicant. Cllr D Chapman left the room during consideration of this item.

The Planning Officer reported that condition 3 in the recommendation had been amended as follows "The building shall only be used for agriculture and shall be removed when no longer required for agricultural purposes." An additional condition was added to require that a landscaping scheme – to allow for selective replanting with indigenous species, be submitted to and agreed in writing by the Authority.

The following spoke under the Public Participation Scheme:

- Ms C Gamble, Local Resident, Objector
- Mrs J Middleton, Local Resident, Objector

It was noted that consideration of the application had been deferred to allow the applicant to submit evidence of agricultural need. It was confirmed that the applicant's agent had provided written evidence to the Authority in the form of an independent agricultural appraisal supporting the functional need. The Planning Officer further stated that the conclusion of the appraisal was supported by the Authority's Land Agent and that officers had personally inspected evidence of animal ownership by the farm business in the form of animal passports and movement records. A letter from the agent was reported.

The recommendation for approval was moved, seconded, voted upon and lost. Cllr Mrs K Potter, Mr C Pennell, Miss P Beswick and Cllr Mrs J Twigg asked that their vote against the motion be recorded.

A motion to refuse the application was moved and seconded put to the vote and carried. In accordance with Standing Order 1.48 the Director of Planning advised that final determination of the application would be deferred until either the October or November Planning Committee.

RESOLVED:

To recommend to Planning Committee that that the application be REFUSED for the following reasons:

1. **The proposals would result in an overdevelopment of the site.**
2. **Insufficient evidence of an agricultural need for the building.**

Cllr Chapman returned to the meeting following consideration of this item.

140/13 17. FULL APPLICATION – DEMOLITION OF INDUSTRIAL SHED BUILDING AND ERECTION OF A PRIVATE DWELLING HOUSE, COAL AND HAULAGE DEPOT SITE, MOORLANDS LANE FROGGATT, (NP/DDD/0113/0058, P.8536 + 9681, 24.01.2013, 424395 376306/KW)

The Head of Law reported that Miss P Beswick had a personal prejudicial interest in this item and although she would address the Committee as a public speaker she would leave the room after speaking and would not participate in consideration of the application.

The Planning Officer reported that condition 12 had been amended to add the words "including ancillary out buildings" and clarified that the highways conditions were as follows:

- provide space for construction vehicles for parking storage and servicing purposes
- provide and maintain off-street parking facilities
- access not to be gated within 5 metres of the highway
- bin storage to be clear of the parking and turning areas
- no caravans or other domestic vehicles parked on the designated parking areas
- footnotes about not carrying materials onto the highway, surface drainage and notification of the works to the relevant highway departments.

The following spoke under the Public Participation Scheme:

- Miss P Beswick, Local Resident, Objector
- Mr J Sowerby, agent

A motion to defer consideration of this application to allow the Committee to visit the site was moved and seconded, put to the vote and carried.

RESOLVED:

That the application be DEFERRED to allow the Committee to visit the site.

Miss P Beswick returned to the meeting following consideration of this item

141/13 18. FULL APPLICATION – DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF REPLACEMENT BUNGALOW, CUNLIFFE COTTAGE, CASTLETON ROAD, HATHERSAGE (NP/DDD/0513/0396, P3008, 20.5.2013, 421061 382247/KW)

The Head of law reminded the meeting that Cllr D Chapman had declared a personal prejudicial interest in this item as he was a good friend of the applicant and a fellow member of the Hope Valley Show Executive Committee.

The following spoke under the Public Participation Scheme:

- Mr R Dickson, Applicant

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

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. The dwelling hereby approved shall be and shall remain ancillary to the use of the main dwelling and shall remain under the control of the occupier of Cunliffe House.**
- 2. Agree amended plans.**
- 3. Restrict residential curtilage to area coloured pink on original submitted 1:2500 scale site plan.**
- 4. Natural materials throughout, including a natural blue slate roof.**
- 5. All window openings to be provided with full natural gritstone surrounds.**
- 6. Minor design conditions.**
- 7. Submit and agree landscaping scheme.**
- 8. Withdraw p.d. rights for alterations, extensions, porches, ancillary buildings, walls, fences and satellite dishes.**
- 9. Submit and agree scheme of appropriate environmental management measures.**
- 10. Retain vehicle parking/manoeuvring space.**

11. Submit and agree any details of spoil removal arising from the demolition works.

142/13 CLOSE OF MEETING

At 5pm the Chair announced she intended to close the meeting and that consideration of the following items would be deferred until the next scheduled meeting of the Committee:

- Item 19. Full Application for the demolition of an existing dwelling and erection of a new earth sheltered dwelling at The Bungalow, Highcliffe, Eyam (NP/DDD/0313/0196, P1558, 11/03/2013 421602/377351 TC)
- Item 20. Full Application – erection of new house (Passivhaus) To replace existing bungalow, 30 Castleton Road, Hope (NP/HPK/0413/0249, P.8009, 18.4.2013, 416977 383535/KW)
- Item 21. Full Application – retrospective application for the erection of a lambing shed and shelter and application to complete the development including rendering of walls, installation of a gate and formation of a stone hardstanding on field to the south of Buxton Road (A6187), Castleton (NP/HPK/0213/0124, P6630, 29/08/2013, 414803/382948/AC)
- Item 22. Advertisement Consent Application – proposed interpretive panel for the Calver Weir Restoration Project at Stocking Farm, Calver (NP/DDD/0713/0625, P.1404, 18/07/2013, 424608 / 374696, MN)
- Item 23. Listed Building Consent – Installation of new internal boiler and external flue – North Lees Hall, Hathersage (NP/DDD/0613/0450, P.6193, 4/7/2013, 423536 / 383448, MN)
- Item 24. Planning Appeals (A.1536/AMC)

The meeting ended at 5.00pm.