

- 1. The current application fails to meet the requirements of HC1 C because it has not been demonstrated that the impetus of the open market value of a new house is required for its conservation, and the submitted scheme does not otherwise offer any meaningful enhancement to the character and appearance of the building, or its setting.**

96/13 PUBLIC PARTICIPATION

The Chair reported that 19 members of the public had given notice to speak.

97/13 MEMBERS' DECLARATION OF INTERESTS

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

Item 6

- Clr Mrs J A Twigg, personal, as the landowner lives across the road from her but she had not discussed the application
- Clr Mrs K Potter, personal, as Friends of the Peak District had commented on the application and she is a member of CPRE
- Mr C Pennell, personal, as a member of Friends of the Peak District

Item 8

- Clr D Chapman, personal and prejudicial, as the applicant is a friend
- Miss P Beswick, personal, as she knew one of the speakers, Mrs Middleton, through business
- It was noted that the following Members had received emails or correspondence relating to this application: Clr Mrs L Roberts, Mr P Ancell, Miss P Beswick, Clr Mrs J A Twigg, Clr Mrs H M Gaddum, Clr Mrs N Hawkins and Clr Mrs K Potter

Item 9

- Clr D Chapman, personal and prejudicial, as the applicant is a friend
- Miss P Beswick, personal, as she knew one of the speakers, Mrs Middleton, through business
- It was noted that the following Members had received emails or correspondence relating to this application: Clr Mrs L Roberts, Mr P Ancell, Miss P Beswick, Clr Mrs J A Twigg, Clr Mrs H M Gaddum, Clr Mrs N Hawkins and Clr Mrs K Potter

Item 10

- It was noted that Clr Mrs K Potter had received numerous emails/correspondence of complaints and objections which she had passed on. She had not attended the Parish Council meeting when this application had been discussed.

Item 11

- It was noted that Members had received emails and letters from Dr Owens.

Item 14

- It was noted that Clr H Laws had received a letter.

Item 15

- It was noted that the applicant was not a relative of Cllr D Chapman.

Item 16

- Mr G D Nickolds, personal, as he was in receipt of a pension from and is a small shareholder of Severn Trent Water.

Item 17

- Cllr P Brady had a personal interest as he was helping a friend with an enforcement issue
- Cllr D Chapman had a personal and prejudicial interest in Five Acres Farm, Wardlow and if there was any discussion on that matter he would leave the room
- It was noted that Members had received emails and photos from A. Chadwick in relation to Lane End Farm, Abney
- It was noted that Members had received, a letter from Vivienne Howson and a letter, brochure and dvd from Pamela Bardwell of Lane End Farm Trust in relation to Lane End farm Abney.

98/13

6. FULL APPLICATION: ERECTION OF 8 AFFORDABLE HOUSES FOR LOCAL PEOPLE ON LAND BETWEEN CONKSURRY AVENUE, CONKSURRY LANE AND 'SWEET BRIAR', YOULGREAVE (NP/DDD/0313/0179, P10134, 05/03/12, 420983/364502/ALN)

The Planning officer reported that the trial trenching requested by the Authority's Archaeologist had taken place and no further archaeological works were necessary, however the Archaeologist had requested protection of feature P1 (possible building foundations) and no planting on feature E2 (lead mining hillock)

The following spoke under the public participation at meetings scheme:

- Mrs J Robson, resident, objecting to one aspect of the proposal
- Cllr D Fredrickson, local District Councillor for Youlgrave, supporter
- Ms I Frenzel, Rural Housing Enabler, Derbyshire Dales District Council, supporter
- Ms A Clamp, Peak District Rural Housing Association, applicant.

In response to Members' concerns the Planning officer stated that there would be no public access to the community orchard other than residents of the development. She also stated that inclusion of the orchard in the S106 agreement could be considered.

The recommendation for approval subject to conditions and a Section 106 which includes the management of the community orchard was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the prior completion of a Section 106 agreement to a) limit occupancy to local people in need b) prevent development commencement before funding secured c) secure bond of £10,000 held for 3 years for remedial highway works and d) submission of management schedule for community orchard and subject to the following conditions:

- 1. 2 year time limit for commencement**
- 2. Adopt amended plans.**
- 3. Standard condition requiring the development to be built to a minimum of the Government's Code Level for Sustainable Homes Level required of Registered Social Landlords. No work to take place until a Design Stage Assessment has been carried out and a copy of the summary score sheet and Interim Code Certificate to be submitted and approved. Prior to first occupation, copy of Post Construction Review Sheet to be submitted verifying that the agreed standards have been met.**
- 4. Highways Conditions including submission and agreement of new access bellmouth and sightlines, access road layout and speed limit 'gateway' feature.**
- 5. Site contamination conditions.**
- 6. Scheme for foul and surface water drainage to be submitted and agreed in writing before work commences.**
- 7. Comprehensive hard and soft landscaping scheme to be submitted and agreed in writing before work commences including hedgerow along northern boundary of curtilage of bungalow at western edge of site.**
- 8. Remove permitted development rights for alterations porches, extensions, ancillary buildings, fences and walls.**
- 9. Lighting scheme to be submitted and agreed in writing before work commences.**
- 10. Sample panel of stonework and sample of roof slates to be agreed before work commences on stonework.**
- 11. Details of solar panels to be submitted and agreed in writing before work commences on any roofs.**
- 12. Detailed plans with annotated datum and proposed and existing levels figures to be submitted and agreed before work commences.**
- 13. Precise siting and noise levels of any air source heat pumps to be submitted and agreed in writing before work commences on installation of such pumps.**
- 14. No public seating within planted area to north of access road.**
- 15. Archaeological conditions.**

16. Stability assessment to be submitted and any necessary remedial measures to be agreed before the development commences.

17. Minor design details.

99/13 7. FULL APPLICATION – DEMOLITION OF TWO STOREY BUNGALOW AND CONSTRUCTION OF A NEW TWO STOREY FOUR BEDROOMED DWELLINGHOUSE, LITTLE WILLOW, GORSE BANK LANE, BASLOW DE45 1SG (NP/DDD/0513/0384. P.8896, 16.05.2013, 425690/ 372646/SFA)

The Planning officer amended the report under the section headed 'Proposal' by omitting the reference to 'two storey' in the first sentence and by stating that the applicant had asked for UPVC windows. However the officer stated that due to the siting on the edge of the conservation area, timber windows and doors were more appropriate and he amended condition 7 of the recommendation by adding 'includes timber windows and doors'.

It was noted that members would be discussing policy LH5 at the forthcoming Development Management Policy workshop.

Condition 4 of the recommendation was amended to state 'Submit and agree finished floor levels prior to construction in reference to an agreed retained datum point' and incorporate a reduction in level below that shown on the submitted plan.

Members also required that the trees on the site needed to be looked at before construction commenced to see if they needed to be protected.

The recommendation for approval subject to conditions, as amended, was moved, seconded, 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. Standard time limit.**
- 2. Adopt plans.**
- 3. Submit and agree sample wall panel and slate.**
- 4. Finished floor levels to be agreed prior to construction in reference to an agreed retained datum point and incorporate a reduction in level below that shown on the submitted plan.**
- 5. Protection of existing hedges and trees on site during construction.**
- 6. Removal of Permitted Development Rights for alterations and extensions to main house.**
- 7. Submit and agree joinery details - includes timber windows and doors.**
- 8. Minor design details e.g. pointing, rainwater goods.**

The meeting was adjourned at 11.16am for a short break and reconvened at 11.22am. Cllr Ms E Wilcox left the meeting during the break.

100/13 8. FULL APPLICATION – USE OF YARD FOR PARKING 2 LORRIES FOR COMMERCIAL USE, RECREATIONAL VINTAGE LORRY AND RECREATIONAL COMPETITION TRACTOR HAULING UNIT, ALL IN ADDITION TO EXISTING USE OF YARD FOR AGRICULTURAL PURPOSES, FIVE ACRES FARM NARROW GATE LANE WARDLOW (NP/DDD/0413/0339, P3714, 30/04/2013, 418117/374989/KW

Clr D Chapman left the room as he had declared a personal and prejudicial interest in both this application and the following application.

Miss P Beswick declared a personal interest in this application and the following application as she knew one of the speakers, Mrs Middleton, through business.

The Planning officer reported that an amended site plan had been circulated and that contrary to the comments of Wardlow Parish Meeting within the report the site was not within the conservation area. The Planning officer added an extra condition to the recommendation to cover submission and agreement of a landscaping scheme.

The following spoke under the public participation at meetings scheme:

- Ms C Gamble, local resident and objector
- Mrs J Middleton, local resident and objector
- Mr D Sutherland, Agent.

In response to Members' queries the Planning officer stated that the conditions required by the Highway Authority were number of vehicles to be controlled, parking and turning area to be kept free of obstructions and a scheme of improvements to access. He stated that if Members wished, the provision of passing places on the road could be covered by a S106 agreement.

Members also raised concerns about lighting and control of vehicles on the site. The Planning officer stated that no additional lighting was proposed but the applicant could be advised regarding dark skies. He also stated that condition number 3 could be amended to state no more than 2 tractor units and 2 trailers to be parked on site at any one time to control the vehicles on the site.

Members were still concerned about the impact on the landscape and highway and a motion for refusal was moved and seconded. This was then voted on and carried. Clr D Birkinshaw requested that his abstention from the vote be recorded.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. Proposed level of use does not represent an acceptable small scale business use in accordance with policy E2 and the activity created would cause harm to the character and amenity of the local landscape.**
- 2. Insufficient evidence of measures to address Highway Authority concerns and in terms of conflict with other vehicle users on Narrowgate Lane.**

101/13 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 Chapman had declared a personal and prejudicial interest in this application and was not present during its consideration and Ms P Beswick had declared a personal interest as she knew one of the speakers, Mrs Middleton, through business.

The Planning officer amended the recommendation by adding 3 extra conditions to cover landscaping, removal of building when no longer required for agriculture and an ancillary condition tying the building to the farm.

The following spoke under the public participation at meetings scheme:

- Ms C Gamble, local resident and objector
- Mrs J Middleton, local resident and objector

In response to Members' queries the Planning officer stated that if wished, the application could be deferred whilst the circumstances of the applicant regarding agricultural need for the building were updated and considered. A motion for deferral was moved and seconded. This was then voted on and carried.

RESOLVED:

That consideration of the application be DEFERRED to enable the report to be updated setting out in detail the agricultural need for the building.

The meeting was adjourned at 12.27pm for a short break and reconvened at 12.40pm. Clr P Rippon left the meeting during the break and Clr D Chapman returned to the meeting.

102/13 10. FULL APPLICATION – USE OF LAND BY SCHOOL GROUPS ENGAGED IN DUKE OF EDINBURGH AWARD ACTIVITIES FOR TENTED CAMPING FOR THE DURATION OF THE CAMPING SEASON (EASTER TO END OF OCTOBER), BARN FARM, BIRCHOVER (NP/DDD/0313/0172, P4930, 06/03/13, 424389/362289/ALN)

The following spoke under the public participation at meetings scheme:

- Mr J Jenkin, Agent.

The recommendation for approval subject to conditions was moved and seconded. This was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **3 year statutory time limit**
2. **Adopt amended plans.**
3. **On Quarry field, no more than 25 tents shall be placed on the field at any one time.**
4. **Stanton Moor Field shall be used by campers undertaking or supervising the Duke of Edinburgh Award scheme only.**

5. **A log of campers using the application site shall be kept and made available to the Authority on request.**
6. **No tents shall be on the application site between 30 October in any one year and Easter in the following year.**
7. **Public Right of Way to remain unobstructed.**
8. **Written confirmation of date of implementation of consent to be submitted to the Authority within one week of implementation.**
9. **Remove permitted development rights for camping for 28 days per calendar year in the area edged red.**

12.52pm Mr G D Nickolds left the meeting.

103/13 11. FULL APPLICATION - CONSTRUCTION OF REPLACEMENT DWELLING AT BRACKENBURN, RIDDINGS LANE, CURBAR S32 3YN (NP/DDD/0313/0239. P.5848, 08.04.2013, 424795/ 375182/SFA)

The Planning officer amended the report in the section headed 'Main Policies' by adding policies DS1 and L1. He also amended the third paragraph on page 6 by adding the word 'site' to the end of the first sentence. He reported that although the protected species survey showed that there was low potential for bats at the site precautionary measures were advised and a condition requiring an ecological watching brief during the roof works together with enhancement and compensatory measures during construction was added to the recommendation.

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

The following spoke under the public participation at meetings scheme:

- Mr D Nicholson, Chair of Curbar Parish Council
- Mr M Games, Objector
- Dr P Owens, Objector
- Mr N Baseley, Agent.

Members were concerned about the size of the development, that outbuildings were being removed but not replaced and the impact on the landscape. Therefore a motion for refusal was moved and seconded. This was then voted on and carried. Cllr D Birkinshaw requested that his abstention from the vote be recorded.

RESOLVED:

That the application be REFUSED for the following reasons:

1. **The property would not be of a similar size to the dwelling it replaces and is therefore contrary to Policy LH5.**

As a result of its excessive scale and massing, the development would be an overly prominent and intrusive feature in the local landscape, especially from the Derwent Valley Heritage Trail, and cause harm to the valued character and appearance of the landscape contrary to LH5, GSP1, GSP2, DS1, L1 and Para 115 of NPPF.

2. **Design grounds – The scheme fails to adequately reflect the local building tradition and the principles expressed in the Design Guide.**
3. **Insufficient evidence to demonstrate compliance with Policy CC1 in terms of environmental management.**

The meeting adjourned for a lunch break at 1.45pm and reconvened at 2.15pm.

Chair: Clr Mrs L Roberts

Present: Mr P Ancell, Miss P Beswick, Clr D Birkinshaw, Clr P Brady,
Clr D Chapman, Clr Mrs H M Gaddum, Clr Mrs N Hawkins,
Mr C Pennell, Clr Mrs K Potter, Clr Mrs J A Twigg.

Apologies: Clr C Carr, Clr A R Favell, Clr H Laws, Mr G D Nickolds

104/13 12. FULL APPLICATION – CHANGE OF USE OF CATTLE BARN TO CAMPING BARN, WITHOUT SECTION 106 OBLIGATION, STOKE FARM, GRINDLEFORD (NP/DDD/0413/0248, P.1655, 09/04/2013, 423972 /376873/KW)

It was noted that this item had been withdrawn from the agenda due to an invalid application site plan.

105/13 13. FULL APPLICATION – ERECTION OF AN ADDITIONAL WORKSHOP/STORAGE BUILDING, AT ALPHAWELD LTD, CALVER WORKS, CALVER. (NP/DDD/1112/1154, 16/4/2103, P11810, 423678 / 375094/SC)

The planning officer requested an addition to condition 4 to carry out the landscaping within the 2013/4 planting season.

The following spoke under the public participation at meetings scheme:

- Dr S Furness, private individual commenting on the application
- Mr N Broome, applicant.

In response to Members' queries the Planning officer stated that the Authority were not aware, prior to this application, of any complaints regarding noise from the site and that the Environmental Health officer had no concerns about the noise report and had therefore raised no objections or suggested the need for any conditions.

The recommendation for approval subject to conditions was moved and seconded. It was agreed to amend condition 4 to cover a comprehensive landscaping plan for the whole site to be completed within 2 years. The recommendation as amended was then voted on and carried.

RESOLVED:

That the application be APPROVED Subject to the following conditions:

1. **3 year time limit**
2. **Adopt submitted plans**
3. **Use Class B2 General Industrial and remain ancillary to existing business**
4. **Adopt and implement amended and comprehensive Landscaping plan for the whole site with implementation within 2 years**

5. **Parking spaces to be laid out prior to building being taken into use**
6. **Ecology condition**
7. **Flood risk mitigation measures**
8. **Sound proofing measures to be submitted prior to building being taken into use**

2.45pm Cllr N Hawkins left the meeting

106/13 14. SECTION 73 APPLICATION: INTRODUCTION OF DOUBLE DOORS TO SOUTH WEST ELEVATION AND INTRODUCTION OF REFRIGERATION UNITS AND TIMBER FENCE ENCLOSURE TO SOUTH WEST ELEVATION. AMENDMENT ON NP/DDD/1200/0510. AT RETAIL UNIT, CALVER CROSSROADS, CALVER (NP/DDD/0213/0168, P6291, 06/03/13, 2395/7480/JK)

The Planning officer reported that a 25 page technical report on the fans had been received and that the recommendation should be amended to state 'That the application be approved subject to no contrary views being received from the Environmental Health Officer following re-consultation on the technical report and that any suggested additional conditions or modification to Condition 5 are delegated to the Director of Planning to agree in consultation with the Chair and Vice Chair of Planning Committee, and subject to the following conditions'.

The following spoke under the public participation at meetings scheme:

- Mr N Marriott, agent.

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

RESOLVED:

That the application be APPROVED subject to no contrary views following re-consultation of the Environmental Health officer on the technical report and that any suggested additional conditions or modification to Condition 5 are delegated to the Director of Planning to agree in consultation with the Chair and Vice Chair of Planning Committee, and subject to the following conditions:

1. **3 year time limit for commencement**
2. **Define approved plans.**
3. **Use of doors for service personnel and deliveries only – No public access.**
4. **Minor details – recessed door frame, timber doors to have a painted or stained finish in dark grey, fence to be stained dark green/brown.**
5. **Limitation of noise from refrigeration units – maintain at manufacturers specified output or at a level not to exceed 3 dba above average night time background noise at the boundary of the site, whichever is the lowest**
6. **Any lighting to new doorway to be sensor controlled and cowled to prevent overspill beyond site boundary**

107/13 15. FULL APPLICATION – DEMOLITION OF EXISTING GARAGE, SINGLE STOREY EXTENSION TO THE REAR, SIDE EXTENSION AND NEW ENTRANCE, AT 5 DALE CRESCENT, HATHERSAGE, (NP/DDD/0313/0189, 14/3/2013, P8436, 423626 / 381804/SC)

The following spoke under the public participation at meetings scheme:

- Mr and Mrs M Chapman, applicants, shared the 3-minute time allocation

The recommendation for approval subject to conditions was moved and seconded. It was agreed to add an extra condition to cover a screened bin store. The recommendation as amended was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **3 year time limit**
2. **Adopt amended plans**
3. **Minor design issues**
4. **Maintain 3 parking spaces on site**
5. **Submit and agree a screened bin storage area**

108/13 16. ADVERTISEMENT CONSENT APPLICATION - ERECTION OF 1 TIMBER ENTRANCE SIGN 2.45M HIGH IN THE CENTRE OF THE ROUNDABOUT AND 2 TIMBER INFORMATION SIGNS WITHIN THE CAR PARK, MEASURING 2.15M TALL AT FAIRHOLMES, LADYBOWER RESERVOIR, BAMFORD, (NP/HPK/1212/1246,P10612, 21.12.2012, 417247 / 389369/SC)

The Planning officer corrected the proposal section of the report by omitting 'reservoir' from the end of the first sentence, and amended the recommendation by deleting the 3 year time limit and substituting it for 5 years as advertisement consents are for 5 years.

The following spoke under the public participation at meetings scheme:

- Mr J Glynn, on behalf of the agent.

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

RESOLVED:

That the application be APPROVED subject to the standard advertisement conditions:-

1. **Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.**
2. **Any structure of hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**

3. **Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.**
4. **No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.**
5. **No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of, any road traffic sign, railway signal and to navigation by water or air, or so as otherwise to render hazardous the use of any highway railway, waterway or aerodrome(civil or military).**

and to the following additional conditions:

1. **5 year time limit**
2. **Adopt amended plans**
3. **Remove existing signs prior to erection of new ones**

109/13 18. PLANNING APPEALS (A.1536/AMC)

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

RESOLVED:

That the report be received.

110/13 17. MONITORING AND ENFORCEMENT QUARTERLY REVIEW – JULY 2013 (A.1533/AJC)

The Monitoring and Enforcement Manager gave the following updates on high priority cases:

- **Tor Farmhouse, Middleton-by-Youlgrave:** it was noted that there was still no response from the occupier's legal representative regarding the Probation Trust's offer. If no response is received the next step would be to consider direct action.
- **Lower Westhills Farm, Winster:** a site visit was made on 2 July. There are still a few items on the site and a small hard standing. The owner has stated that these will be removed by the end of July. When removed the enforcement case can be closed.
- **Land and buildings East of Lane End Farm, Abney:** a letter addressed to the Planning Committee dated 20 June 2013 had been received from Vivienne Howson, the occupier of the caravan at the site. Members had also received this letter so it was not necessary to summarise it at the meeting.

3.38pm Cllr P Brady left the meeting.

The Chair reported that the Director of Planning would be reporting on enforcement staffing next month following the imminent appointment of Chris Fridlington as temporary Planning Manager (South).

3.40pm Cllr Mrs H M Gaddum left the meeting.

RESOLVED:

That the report be noted.

The meeting ended at 3.49pm.