
AGENDA ITEM No. 2

MINUTES

<u>Meeting:</u>	Planning Committee
<u>Date:</u>	14 June 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 C Carr, Clr D Chapman, Clr Mrs H Gaddum, Clr Mrs N Hawkins, Clr H Laws, Mr G Nickolds, Clr Mrs K Potter, Clr Mrs J A Twigg and Clr P Wood
<u>Also Present</u>	Clr Ms E Wilcox
<u>Apologies for Absence:</u>	Clr A Favell, Ms S Leckie and Mr C Pennell,

79/13 CHAIR'S ANNOUNCEMENTS

It was noted that this would be the last meeting to be attended by Clr P Wood following his resignation. On behalf of the Authority the Chair thanked him for his contribution to the work of the Authority and wished him well for the future.

80/13 MINUTES

The minutes of the meeting held on 17 May 2013 were approved as a correct record subject to the attendance list being amended to record apologies for absence from Mr G Nickolds.

81/13 PUBLIC PARTICIPATION

It was noted that 14 Members of the Public had given notice to speak under the Public Participation Scheme.

82/13 MEMBERS' DECLARATION OF INTERESTS

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

Item 6

- Clr Mrs K Potter, personal, she had been present at a Parish Council meeting when this was on the agenda but had left the room during discussion.
- Noted that all Members had received correspondence from David Nicholson of Curbar Parish Council
- It was noted Miss P Beswick, Clr D Chapman Clr C Carr and Clr Mrs K Potter had received 2 letters from Dr Owens.

Item 8

- Clr D Chapman, personal, applicant is also a member of Hope Show Executive Committee and a colleague for many years.

Items 10 & 11

- It was noted that Clr Mrs K Potter had received correspondence about this site which she had passed on to the Parish Council. Clr Potter was not in attendance at the Parish Council meeting where these applications were discussed.

Items 12 & 13

- Clr D Chapman and Clr Mrs J Twigg, personal, applicant is also a member of Derbyshire Dales District Council. They had received emails from him but not discussed the application with him.
- Clr C Carr, personal and prejudicial, as he is a tenant of the Tissington Estate and applicant is also a member of Tissington Parish Council.
- Clr H Laws, personal, as Member of English Heritage.
- It was noted all Members had received correspondence from Clr Chis Carr.
- It was noted Clr Mrs K Potter was a member of the DALC Executive with Clr Chis Carr.
- It was noted that Mr G Nickolds had a conversation with the applicant but had not compromised his position.

Item 14

- Clr P Brady, personal, daughter and her husband acquainted with the applicant and their family.

Item 16

- Clr D Chapman, personal and prejudicial interest in 5 Acres Farm, Wardlow.
- Clr P Brady, personal as he had assisted a friend to get enforcement action for over 5 years.

83/13 6. 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 Director of Planning reported that this application was deferred to allow discussions with the applicant and his agent on the ecological impact of the proposals.

84/13 7. FULL APPLICATION – ALTERATIONS TO THE DESIGN AND RE-SITING OF PREVIOUSLY APPROVED DWELLING UNDER NP/DDD/0605/0611, SUNNY BANK, UPPER PADLEY, GRINDLEFORD (NP/DDD/0213/0127, P.1816, 27.02.2013, 424966 378985/KW)

This application had been the subject of a Site Visit.

The following made representations in accordance with the Authority's Public Participation Scheme:

- Mr John Davies, Journeyman Design Ltd, Agent

The recommendation was moved and seconded, subject to an additional condition about the submission of a construction method statement and measures to protect trees on and adjacent to the application site. Officers agreed to investigate the need for a Tree Preservation Order.

RESOLVED:

1. That the application be **APPROVED**, subject to the following conditions:
 1. 3 year time limit for commencement.
 2. Adopt amended plans.
 3. Submit and agree samples of the natural gritstone walling/ and natural gritstone slate roofing materials.
 4. Finished floor levels to be agreed prior to construction.
 5. Natural gritstone copings, window and door surrounds and quoins.
 6. 1.2m high natural gritstone drystone walling to eastern boundary.
 7. Minor design details.
 8. Submit and agree detailed scheme of hard and soft landscape works.
 9. Existing trees to be retained.
 10. Submit and agree scheme for the disposal of foul and surface water.
 11. All services to be undergrounded.
 12. Withdraw p.d. rights for alteration, extensions, porches, walls, fences, satellite dishes and solar panels.
 13. Submit and agree details of external lighting.
 14. Omit curtilage garden building.
 15. Submission and approval of Construction Method Statement before works commence.
 16. Submission and agreement of a scheme of environmental management to reduce the carbon footprint of the dwelling.
2. Officers to investigate with the Authority's Tree Conservation Officer appropriate action to address the Committee's concerns about the protection of woodland on and adjoining the application site.

85/13 8. FULL APPLICATION – CONVERSION OF BARN TO DWELLING AND CHANGE OF USE OF AGRICULTURAL LAND TO RESIDENTIAL, DALE HEAD BARN, HOUSELY, FOLOW (NP/DDD/0313/0187, P.1975, 419206 376509, 7/3/2013/KW)

This application had been the subject of a Site Visit.

The following made representations under the Authority's Public Participation Scheme:

- Joe Oldfield, Agent

A motion to defer consideration of this application was moved, seconded, voted upon and carried.

RESOLVED:

To DEFER consideration of the application so the Committee can consider details of alternative uses.

The meeting was adjourned from 11.10am to 11.15am following consideration of this item.

86/13 9. FULL APPLICATION – CHANGE OF USE OF BARN TO A HOLIDAY LET, COW CLOSE FARM, BIRLEY LANE, OUTSEATS, HATHERSAGE. (NP/DDD/0213/0088. P.5987, 12.02.2013, 423369 / 382916/KW)

The Director of Planning reported that the ecology survey had stated that, although there was evidence of bats foraging in the neighbouring woodland, there was no evidence that bats were roosting in the building. It was suggested that reinstatement of the roof and associated measures may encourage nesting. The views of the Authority's ecology officer were reported.

The recommendation was moved and seconded, subject to condition 2 requiring that the accommodation be ancillary to Cow Close Farm and an amendment to the footnote advising that works for any access track to the application site would require planning permission.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Three year time limit for implementation.**
2. **Limit occupancy to short term holiday accommodation let, ancillary to Cow Close Farm.**
3. **Replacement roof to be reclaimed natural gritstone.**
4. **Withdraw permitted development rights for extensions, etc.**
5. **Submit and agree joinery detail including finish of timber windows and doors.**
6. **Submit and agree scheme of landscaping and external works, including retention and rebuilding of existing stone walls.**
7. **No external illumination other than motion sensor access lights, details of which to be submitted and approved.**
8. **Restrict curtilage to walled enclosure.**
9. **No vehicles to be parked on site.**
10. **Minor design details to agree rainwater goods, all pipework to be internal except rainwater goods.**

11. **Ecology conditions and footnotes.**
12. **Submit and agree details of septic tank/waste water collection and disposal.**
13. **Footnote advising that the Authority would strongly resist any proposals for construction of an access track and any works would require a separate planning application.**

87/13 10. FULL APPLICATION – TO EXTEND THE AREA OF FIELD OS2934 PERMITTED FOR THE ACCOMMODATION OF TENTED CAMPING AT BARN FARM, BIRCHOVER, (NP/DDD/0313/0198, P4930, 13.03.2013, 424389/362289/ALN)

It was noted that, in accordance with standing orders, the Chair had given permission for a member of the public to film the meeting during consideration of this and the following item.

It was noted that the wording of conditions 6 and 7 in the Officer report had been amended. Members were provided with clarification about how the Authority would enforce the conditions.

The following made representations under the Authority's Public Participation Scheme:

- Mr Darl Godfrey, Supporter
- Mr Rob Green, Peak Expeditions, Supporter
- Mr Jonathan Jenkin for agent

It was noted that the representations made by the first two speakers were more relevant to the application to be considered as item 11.

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

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **3 year statutory time limit.**
2. **Adopt submitted plans.**
3. **The total number of tents on the application site at any one time shall not exceed 25.**
4. **No tents shall be on the application site between 30 October in any one year and Easter in the following year.**
5. **Public Right of Way to remain unobstructed.**
6. **Written confirmation of the date of implementation of consent to be submitted within one week of implementation.**
7. **Remove permitted development rights for camping on Quarry Field for 28 days per calendar year in the area edged red.**

88/13 11. 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), AT BARN FARM, BIRCHOVER (NP/DDD/0313/0172, P4930, 06/03/13, 424389/362289/ALN)

It was noted that the wording of conditions 4, 5, 6 and 9 in the Officer report had been amended and the words Barn Farm, Birchover had been omitted from the title. As the Plan attached to the officer report was incorrect, the correct site plan was displayed at the meeting.

The following made representations under the Authority's Public Participation Scheme:

- Mr Darl Godfrey, Supporter
- Mr Rob Green, Peak Expeditions, Supporter
- Mr Jonathan Jenkin for agent

A motion to defer consideration of the application was moved, seconded, voted upon and carried.

RESOLVED:

To DEFER consideration of the application to allow further discussions with the applicant about removing permitted development rights and restricting the number of tents on the site.

89/13 12. FULL APPLICATION – INSTALLATION OF 22 SOLAR PV PANELS, THE OLD COACH HOUSE TEA ROOMS, TISSINGTON (NP/DDD/0313/0236, P.6975, 417575 / 352260 29/05/2013/AM)

13. FULL APPLICATION – LISTED BUILDING CONSENT - INSTALLATION OF 22 SOLAR PV PANELS, THE OLD COACH HOUSE TEA ROOMS, TISSINGTON (NP/DDD/0313/0237, P.6975, 417575 / 352260 29/05/2013/AM)

Clr Chris Carr left the meeting during consideration of these two items.

It was noted that despite the officer recommendations the Authority did acknowledge the benefits of renewable energy and had discussed with the applicant alternative proposals which would have less impact.

The following made representations under the Authority's Public Participation Scheme:

- Sir Richard Fitzherbert, Applicant

Clr Mrs N Hawkins left the room between 12.45pm and 12.50pm during consideration of this item and did not participate in discussions or voting thereon.

The recommendations were moved, seconded, voted upon and carried.

RESOLVED:

1. **That the application for Planning Permission be REFUSED for the following reason:**

The proposed development would harm the significance of the Grade II Listed Building and of the designated Tissington Conservation Area contrary to Core Strategy Policies GSP3, L3 and CC2, Local Plan Policies LC4, LC5, LC6 and LU4 and the Authority's Climate Change and

Sustainable Building SPD. Any approval of the proposed development would also not be consistent with the National Park's legal purposes and duty contrary to Core Strategy Policy GSP1. In this case the public benefits of the proposal are outweighed by the harm which has been identified and therefore any approval would be contrary to the National Planning Policy Framework.

- 2. That the application for listed building consent be REFUSED for the following reason:**

The proposed development would harm the significance of the Grade II Listed Building contrary to Core Strategy Policy L3 and Local Plan Policy LC6. In this case the public benefits of the proposal are outweighed by the harm which has been identified and would be contrary to the National Planning Policy Framework.

Following consideration of this item, in accordance with Standing Order 1.10, the Committee resolved that the meeting continue beyond three hours.

90/13 14. FULL APPLICATION: PROPOSED ERECTION OF LOCAL NEED AFFORDABLE HOUSE, CHAPEL STREET, MONYASH (NP/DDD/0413/0276, P.4059, 414963/366597, 30/5/2013/AM)

It was noted that the Parish Council and the local County Councillor had written in support of the application.

The following made representations under the Authority's Public Participation Scheme:

- Mr Woolley, Applicant

A motion to approve the application was moved and seconded, put to the vote and carried. The Committee were of the view that this application should be approved contrary to the officer recommendation in order to maintain a vibrant community by providing accommodation for a young couple. It was noted that the applicant had addressed issues identified previously by altering the siting and design of the building to reduce the impact on the conservation area and had carried out an archaeological survey of the site.

RESOLVED:

That, subject to a section 106 agreement to cover local needs housing, the application be APPROVED subject to the following conditions:

- 1. Commencement of development within 2 years of permission.**
- 2. Development in accordance with submitted plans.**
- 3. No development to commence until a written scheme of investigation for monitoring and excavation is submitted and agreed in relation to archeology.**
- 4. No development to take place other than in complete accordance with the scheme of investigation.**
- 5. Landscaping, submit and agree a plan showing the extent of the domestic curtilage.**

6. **Submit and agree a schedule of energy saving measures and their implementation.**
7. **Submit and agree hard and soft landscaping details to include planting and their implementation.**
8. **Underground service lines on land under the applicants control.**
9. **Natural limestone walls.**
10. **Natural gritstone quoins.**
11. **Sample Panel.**
12. **Timber Doors and Windows.**
13. **Rainwater goods in cast metal.**
14. **Pipes other than rainwater goods to be internal.**
15. **Roof Verges to be flush cement pointed.**
16. **Roof clad in natural blue slate.**
17. **Roof lights to be conservation type.**
18. **Meter Boxes not sited in a conspicuous location.**
19. **Highways conditions, including during construction phase provide space for plant and materials within the site boundary.**
20. **Premises not to be occupied until space has been provided for parking and maneuvering.**
21. **Garage and store to be retained for parking of domestic vehicles and domestic storage.**
22. **Agree bin storage.**
23. **Remove permitted development rights.**

Clr H Laws left the room between 1.10pm and 1.20pm during consideration of this item and did not participate in discussions or voting thereon.

The meeting adjourned for lunch at 1.35pm and reconvened at 2.05pm

Chair: Clr Mrs L C Roberts

Present: Mr P Ancell, Miss P Beswick, Clr D Birkinshaw, Clr P Brady, Clr D Chapman, Clr Mrs H Gaddum, Clr Mrs N Hawkins, Mr G Nickolds, Clr Mrs K Potter, Clr Mrs J A Twigg and Clr P Wood.

Also Present Clr Ms E Wilcox

Apologies for Absence: Clr C Carr, Clr A Favell, Ms S Leckie, Clr H Laws, and Mr C Pennell.

91/13 15. FULL APPLICATION – ERECTION OF STORAGE WAREHOUSE, BROUGH BUSINESS CENTRE, BROUGH, BRADWELL (NP/HPK/0113/0004, P.6314, 25/01/2013, 418109 382462/KW)

The recommendation was moved, seconded, voted upon and carried subject to a footnote to address the archaeological importance of the roman fort and civil settlement on adjoining land. It was agreed that the Director of Planning would consider whether it was appropriate to impose additional conditions relating to hours of operation, noise and dust and that this would be delegated to the Director in consultation with the Chair.

RESOLVED:

- 1. That the application be APPROVED subject to the following conditions:**
 - 1. Building to be used solely for B8 storage use ancillary to the existing Charcoal supplies business and for no other purpose.**
 - 2. Front (south-west) gable to be clad with natural grit stone to a height of 2.5m to match the adjacent buildings.**
 - 3. Wall sheeting to be pre-coloured to BS 5252 12 B 27 (Olive Green).**
 - 4. Roof sheeting to be pre-coloured to RAL 7016 (Anthracite).**
 - 5. Submit and agree a scheme for supplementary tree planting on the north-east and south-east boundaries of the site.**
 - 6. No external storage within the area to the east of the production warehouse following the storage/warehouse building being brought into use. This area to be retained unobstructed for use as car parking.**
 - 7. No external alterations, including windows or air ventilation apertures or systems.**
 - 8. Prior submission and agreement of a detailed ecological mitigation method statement.**
- 2. To authorise the Director of Planning to consider, following consultation with the Chair of Planning Committee, whether to include an additional condition restricting the working hours, noise and dust control, in the interests of residential amenity.**

92/13 16. PLANNING APPEALS (A.1536/AMC)

RESOLVED:

That the report be received.

Clr Mrs N Hawkins left the meeting at 2.40pm following consideration of this item.

93/13 17. ADOPTION OF LOCAL ENFORCEMENT PLAN (AJC/AC/A.1533)

The Committee welcomed the document and suggested some minor amendments in the following areas:

- Monitoring
- Minerals
- Immunity
- Information requirements
- Priorities
- Voluntary compliance
- Publicising the final document

The Director of Planning advised that if Members wished to suggest further changes before the document was published, they could pass these on to him after the meeting and they would be considered in accordance with the second recommendation.

RESOLVED:

1. **The Authority adopts the text of the Local Enforcement Plan (LEP) as set out in Appendix 1 subject to minor amendments raised during discussion.**
2. **The Director of Planning is granted delegated authority to agree minor text and formatting changes to the LEP to improve the final document both for immediate use and to create a professionally designed version of the document for public release.**
3. **Following publication the Director of Planning is granted delegated authority to agree future minor technical revisions to the LEP to enable it to remain up to date, accurate and relevant.**

The meeting concluded at 3.10pm.