
AGENDA ITEM No. 2

MINUTES

<u>Meeting:</u>	Planning Committee
<u>Date:</u>	17 May 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 Mrs N Hawkins, Clr H Laws, Ms S Leckie, Mr C Pennell, Clr Mrs K Potter, Clr Mrs J A Twigg,
<u>Apologies for Absence:</u>	Clr D Birkinshaw, Clr D Chapman.

Clr Mrs H Gaddum had given advance notice that she would be late for the meeting.

66/13 MINUTES

The minutes of the meeting held on 19 April 2013 were approved as a correct record.

67/13 PUBLIC PARTICIPATION

One of the speakers on Item 6 had asked to be able to speak second rather than last, this was allowed by the Chair.

68/13 MEMBERS' DECLARATION OF INTERESTS

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

Clr Mrs J Twigg declared a personal interest as she knew ten of the speakers.

Item 6

- Miss P Beswick declared a personal interest as a Member of English Heritage
- Clr H Laws declared a personal interest as a Member of English Heritage

Item 7

- It was noted that all Members of the Planning Committee had received correspondence from Ms Caroline Payne on behalf of the Applicant
- Members had also received a copy of a letter sent to the case officer by Friends of the Peak District
- Members had also received a copy of correspondence from Derek Gough Associates
- Clr P Brady declared a personal interest as he had previously been a colleague of both the Applicant's mother and her aunt.
- Clr Mrs K Potter declared a personal interest as a member of CPRE

Item 10

- It was noted that all Members of the Planning Committee had received correspondence from Allen Newby on behalf of the Applicant
- Members had also received a letter from Dr P Owens cross-referencing this item with Item 13
- Mr C Pennell declared a personal interest as he had stayed at the barn several times on holiday as a child

Item 11

- Cllr Mrs K Potter declared a personal interest as a member of CPRE
- Miss P Beswick declared a personal interest as she knew one of the speakers, Mr G Challenger

Item 13

- It was noted that all Members of the Planning Committee had received correspondence from Curbar Parish Council.
- Members had also received a letter from Dr Owens.

Item 15

- Cllr C Carr declared a prejudicial interest as he knew the Applicant

Item 16

- Cllr P Brady declared he was a member of Taddington Parish Council and had retained an open mind on this item.

69/13 6. PROPOSED BROADMEADOW EXTENSION TO ALPORT CONSERVATION AREA (A4113/RW)

This report sought Member approval to extend the Alport Conservation Area to the south-east to include 1-3 Broadmeadow Cottages, Old Forge Farm and the field immediately west of Broadmeadow Cottages.

Officers referred to Appendix 2 of the report which provided notes from a meeting held on 20 December 2012 with residents, Members, local landowners and a representative of Harthill Parish Meeting to discuss issues about the proposed extension and confirmed that Officer opinion was still that the archaeological and historic interest in the area justified the extension. The Officer stated that further research into the history of the Broadmeadow shale gate had been undertaken since the submission of the committee report, as detailed in an email he had received on Wednesday 15 May from Jim Rieuwerts. This concluded that the structure was a unique phenomenon within the Derbyshire ore field. The mining engine removed from the Broadmeadow Shaft was now an important exhibit in the Peak District Mining Museum, Matlock Bath.

The following made representations to the committee in accord with the Authority's Public Participation Scheme:

- Cllr A McCloy, Authority Parish Member and Objector
- Peter Pimm, Harthill Parish Meeting, Objector
- Mark Walker, resident and Objector
- Nicola Walker, resident and Objector
- Chris Birch, resident and Objector

Clr Favell joined the meeting at 10.25am but took no part in the discussion and did not vote on this item.

The recommendation was moved and seconded. Members felt that in the long term, the extension would bring more benefits than dis-benefits to local residents.

The motion to approve the extension of the conservation area fell in the vote. A motion not to accept the proposed extension was then moved, seconded, voted upon and carried.

RESOLVED:

That the proposed south-east (Broadmeadow) boundary extension to Alport Conservation Area be NOT ACCEPTED.

70/13 7. FULL APPLICATION – CHANGE OF USE OF REDUNDANT BARN TO ONE RESIDENTIAL DWELLING, AT THE SMITHY, ADJACENT TOP CLOUGH VIEW, SPARROWPIT. (NP/HPK/1212/1236. P.8552,10706, 12.12.2013, 408883/ 380722/SC)

The Director of Planning explained the new procedure and criteria whereby a planning committee recommendation may be referred to the next meeting of Planning Committee.

He stated that in this case, the potential departure from policy pertained to the issue of whether or not a viable, alternative use as enabled by policy HC1C was possible.

The Officer made a correction on page 4 and paragraph 28 of the report:

Change “12.11 of the Core Strategy” to “12.18 of the Core Strategy” and remove the italics from the text as it was the officers interpretation on paragraph 12.18.

Officers regarded the building as traditional but not of “valued vernacular merit” and one which would be suitable for a range of alternative uses.

Friends of the Peak District had objected to the application and supported the Officer’s report.

In response to Officer comments, the Agent had produced budget summaries for the conversion of the building to an affordable dwelling. The cost would be £226K which would not be within the resources of the Applicant. The Agent had not provided detail on any other alternatives.

The following made representations to the committee in accord with the Authority’s Public Participation Scheme:

- Clr Mrs Street, Chapel-en-le-Frith Parish Councillor
- Caroline Payne on behalf of the Applicant

The recommendation was moved and seconded.

Following debate, Members moved to approve the planning application on the basis that the building was of “valued vernacular merit” because of it being a rare, unscathed survival of a longhouse barn. Members acknowledged its value in the street scene and its important associations with local history. The building’s development as an open market dwelling was believed to be the only viable option.

Members commended to the Applicants the provision of a plaque on the finished building to explain its historic value.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **3 year time limit**
2. **Withdrawal of Permitted Development rights**
3. **Identify amended plans**
4. **Submit and agree details of cart opening framework**
5. **New walling to match the existing**
6. **External door and window frames to be timber**
7. **Timber or cast metal rain water goods, no fascias**
8. **All SVP's, extract or boiler flues to be ducted internally**
9. **Recess door and window frames**
10. **Retain car parking space free from impediment**
11. **Agree position of meter boxes**
12. **Submit and agree scheme of Environmental management measures**
13. **Conversion within shell - no replacement of stonework or detailing**

71/13 8. FULL APPLICATION: PROPOSED ERECTION OF LOCAL NEED AFFORDABLE DWELLING, LAND ADJACENT TO FOLD FARM, POWN STREET, SHEEN (NP/SM/0812/0830, P.3429, 410981 / 360923, 3/5/2013/CF)

The Director of Planning left the meeting as he had been involved in a previous application.

The Officer reminded Members of why this report had been deferred from the Planning Committee of 19 April and confirmed that the Applicants had now agreed to a second legal agreement, as requested by Members, in addition to the Section 106 Agreement. The long term control of the farm and its land would be secured by the second agreement. Both the Section 106 and the second agreement would be entered into prior to planning permission being issued for the current application.

The following made representation to the committee under the Authority's Public Participation Scheme:

- Joe Oldfield, Agent
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The recommendation was moved, seconded, voted upon and carried.

RESOLVED:

That the application be APPROVED subject to prior entry into two separate legal agreements made under s.106 of the 1990 Act containing (1) obligations relating to the intended first occupants of the proposed house, and the subsequent affordability and occupancy of the new house; and (2) obligations relating to the subsequent occupancy of the existing house at Palace Farm, and restricting the separate sale of 17 hectares of land at Palace Farm; AND subject to the following conditions relating to the proposed house:

Time Limit

- 1. The proposed development shall be commenced within two years**

Approved Plans

- 2. The proposed development shall be completed in accordance with the submitted plans.**

Construction Compound

- 3. Prior to commencement of the proposed development, precise details of location of construction compound for the storage of vehicles, plant and machinery shall be submitted to and agreed in writing by the Authority. Thereafter the development shall be carried out in accordance with the approved details.**

Access and Parking

- 4. Prior to commencement of the proposed development, precise details of the proposed access to Pown Street, and two parking spaces for the proposed dwelling, including full details of surfacing materials, shall be submitted to and agreed in writing by the Authority.**

Thereafter, the approved parking, access and associated manoeuvring areas shall be laid out and surfaced in accordance with the approved details prior to the first occupation of the new dwelling and shall thereafter be maintained free of any obstruction to their designated use for the lifetime of the development.

Foul Water Drainage

- 5. Prior to commencement of the proposed development, precise details of a private water treatment plant shall be submitted to and agreed in writing by the Authority. Thereafter the development shall be carried out in accordance with the approved details**

Environmental Management

- 6. Prior to commencement of the proposed development, precise details of energy saving measures and/or schemes for micro-renewable energy generation to be incorporated into the design of the proposed dwelling shall be submitted to and agreed in writing by the Authority. Thereafter the development shall be carried out in accordance with the approved details.**

Services

7. **All new service lines to the new dwelling shall be undergrounded on land in the applicants' ownership.**

External Lighting

8. **Unless otherwise agreed in writing by the Authority, there shall be no provision of external lighting within the domestic curtilage of the dwelling, and no external lighting shall be attached to the dwelling.**

Design Details

9. **No development shall take place until the finished floor levels for the proposed house have been submitted to and agreed in writing by the Authority. Thereafter the development shall be carried out in accordance with the approved details**
10. **External walls shall be faced with natural stone and all lintels and sills shall be natural gritstone.**
11. **Prior to erection of external walls, a sample panel shall be erected on site. Thereafter, all external stonework shall match the approved sample panel in terms of the stone used and how it is faced, and in terms of coursing and pointing.**
12. **Windows and doors shall be of timber construction and set back from the face of the external walls**
13. **Rain water goods shall be black, and other than rain water goods there shall be no other external pipework.**
14. **The roof over the dwelling shall be clad with plain clay tiles to match a sample first submitted to and approved in writing by the Authority.**

Permitted Development Rights

15. **Permitted development rights shall be removed for any alterations to the external appearance of the approved dwelling, any extensions to the approved dwelling, and any outbuildings within the domestic curtilage of the approved dwelling.**

Curtilage

16. **The proposed drystone wall shown on the submitted plans to define the curtilage of the new dwelling shall be completed in natural stone, coursed and laid to match the existing walls on the field boundary, prior to the first occupation of the new dwelling.**

The Director of Planning returned to the meeting before consideration of this item.

72/13 9. FULL APPLICATION – DISCONTINUATION OF HURST RESERVOIR AND THE RESTORATION OF HURST BROOK, GLOSSOP (NP/HPK/1212/1230, P.8289, 13/12/2012, 405074 393761/KW)

The Officer reported that there would be an extra condition to control the final profile of the quarry and that condition 6 included recommended conditions from Natural England. The Officer also asked for a correction on page 19 that the word “flora” be replaced by “fauna” in the second paragraph.

Members had visited the site the previous day and had seen that the reservoir had been drained, work which did not need formal planning permission. Land surrounding the site was privately owned with no public footpaths or other access, apart from land to the east but the footpath there was half a kilometre away.

The Officer reported that Peak District National Park Authority Field Services, part of the Fire Operations Group and helicopter pilot were satisfied with the fire pond. A letter of support in relation to the fire pond had also been received from the National Trust.

The following made representation to the committee under the Authority’s Public Participation Scheme:

- Mr Fred Mitchinson of Bond Dickinson, on behalf of Mr John Nesbitt, Objector
- Jonathan Clark, Applicant

Clr Mrs H Gaddum joined the meeting at 12.45 pm but took no part in the debate or voting. Clr Favell and Clr Mrs Hawkins left the meeting during the discussion and on their return did not take part in the debate and abstained from voting.

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

RESOLVED:

That subject to a Section 106 legal agreement covering the future landscape management of the site that the application be APPROVED subject to the following conditions:

- 1. Submit and agree Construction Traffic Management Plan.**
- 2. Submit and agree Construction Environmental Management Plan.**
- 3. Submit and agree details of the site construction compounds.**
- 4. Construction activities restricted to working hours from 0800-1800 Monday to Friday and 0830-1330 Saturdays, with no works on a Sunday or Public Holidays. Works outside these hours on Sundays/Bank Holidays to be avoided, except in emergencies or in agreement with the Authority.**
- 5. Carry out landscaping in accordance with a timetable/schedule of planting/seeding to be submitted to and agreed in writing by the Authority.**
- 6. Ecological mitigation conditions pre/during/post construction including the Natural England conditions.**
- 7. Environment Agency conditions.**
- 8. Submit and agree precise details of the Fire Pond.**

9. Archaeological mitigation conditions.

10. To agree the final profile of the quarry.

73/13 10. FULL APPLICATION – REPLACEMENT DWELLING PLUS GARAGE AT MANOR FARM BUNGALOW, QUARNFORD (NP/SM/0313/0193, P3280, 08/02/2013, 400198/366293/ALN)

Clr Mrs H Gaddum declared that she had received the correspondence sent to all members of the Planning Committee by Allen Newby and Dr P Owens in relation to this Item.

The Head of law reminded the meeting that Mr Pennell had declared a personal interest in the item.

The Officer made a correction to page 4 of the report to amend any occurrence of the word “footprint” to “floor area”.

Members were shown visualisations of the proposals as provided by the Agent. It was noted that the property would “skyline” from some vantage points.

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

- Dr P Owens
- Chris Candy, Applicant

In accordance with Standing Orders, a motion to continue the meeting beyond 1pm was moved, seconded and carried.

In response to Member questions, Officers confirmed that there was scope to move the building to a less visible location on the site. The Chair advised Officers that more discussion with the Applicant could be undertaken in order to find a suitable solution.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposals would be contrary to Local Plan policy LH5 (iii) in that the dwelling and garage would not be of a similar size to the dwelling to be replaced.**
- 2. The new dwelling and garage by virtue of their massing and detailing would be a dominant and intrusive feature upon the immediate and wider landscape setting causing harm to the valued character and appearance of the area, contrary to NPPF para 115, Core Strategy policies GSP1, 2 and 3 and L1 and Local Plan policies LC4, LH5 (i) and (iv) as well as principles expressed in the Authority’s Adopted Design Guide.**

The meeting adjourned for lunch at 1.20pm and reconvened at 2pm.

Chair: Clr Mrs L C Roberts

Present: Mr P Ancell, Miss P Beswick, Clr P Brady, Clr C Carr,
Clr Mrs H Gaddum, Clr Mrs N Hawkins, Clr H Laws, Ms S Leckie,
Mr C Pennell, Clr Mrs K Potter, Clr Mrs J A Twigg,

Apologies for Absence: Cllr D Birkinshaw, Cllr D Chapman, Cllr A Favell

74/13 11. FULL APPLICATION – CHANGE OF USE FROM OFFICES TO RESIDENTIAL APARTMENTS, ENDCLIFFE AND MEDIA HOUSE, DEEPDALE BUSINESS PARK, ASHFORD ROAD, BAKEWELL (NP/DDD/0612/0616, P.11903, 4200931 / 368985, 29/4/2013/AM)

The Head of Law reminded the meeting that Cllr Mrs K Potter had declared a personal interest as a member of CPRE and that Miss P Beswick had declared a personal interest as she knew one of the speakers.

The Officer reported that the District Council's Environmental Health officer had objected re potential noise problems for occupants of the proposed apartments. Friends of the Peak District also objected to the loss of employment space which would create pressure elsewhere within the Bakewell area. The Town Council supported the proposals but the Civic Society objected.

The Officer confirmed that the loss of employment space would be permanent. She added that the buildings were not of "valued vernacular merit" nor did the proposed conversion offer any enhancement of them.

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

- Mr G Challenger of Bakewell and District Civic Society, Objector
- Robert Fletcher of Ian Baseley Associates, Agent

The Director of Planning stated that the Authority had applied for an exemption from the Government's new relaxed rules on General Permitted Development but had not succeeded in securing this. The Government's new provisions would come into effect from 30 May 2013 except where an alternative was in place subject to the former approval process.

The Authority's appointed Surveyor had assessed the marketing campaign and the viability of affordable housing provision on the site and had found it to be realistic. The recommendation was moved, seconded, voted upon and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposal development is contrary to Core Strategy Policy E1 D and Local Plan Policy LB6 along with relevant guidance within the National Planning Policy Framework because the proposal would result in the loss of high quality employment buildings which are sited in a suitable location, and would prejudice the development of the allocated employment site. Any approval of the proposed development would therefore result in the unjustified loss of high quality employment buildings which would not be consistent with the National Park Authority's duty to seek to foster the economic and social well-being of local communities contrary to CS Policy GSP1.**
- 2. The proposed development is contrary to Core Strategy Policies GSP1, GSP2 and HC1 C and relevant guidance within the National Planning Policy Framework because the development is not required to achieve the conservation or enhancement of a valued vernacular building or required to achieve conservation or enhancement in Bakewell and because there is no identified need for additional open market housing within the National Park and in this case there are also strong economic reasons to refuse**

planning permission.

3. **The proposed development is contrary to Core Strategy Policy GSP3 and Local Plan Policy LC4 because the occupants of the proposed development would be likely to suffer disturbance from noise and vibrations caused by the adjacent industrial uses and associated vehicle movements and because the occupants of the proposed development would not be provided with any good quality on-site amenity space.**
4. **The proposed development is contrary to Core Strategy Policies GSP3 and T7 because the proposed 31 parking spaces would represent a significant over provision of parking over the minimum amount that would be required for operational purposes and therefore would not promote the use of sustainable modes of transport.**

75/13 12. FULL APPLICATION – CONVERSION OF BARN TO DWELLING, FOUR LANE ENDS BARN, BAKEWELL (NP/DDD/0313/0170, P.4039, 419762 / 368492, 1/5/2013/AM)

The Director of Planning left the meeting as he had previously been involved in an application for this site.

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

- Joe Oldfield, Agent

The wording of the recommendation was queried by Members. Officers suggested amended wording so that the phrase "risk of harm" was removed. The recommendation as amended was moved, seconded and carried in the vote.

RESOLVED:

That the application be REFUSED for the following reason:

1. The current application fails to meet the requirements of HC1 C because Four Lane Ends Barn is not valued vernacular and 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.

The Director of Planning returned to the meeting.

It was noted that item 13 was deferred so that Members could undertake a site visit.

76/13 17. PLANNING APPEALS (A.1536/AMC)

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

- Mr J Youatt
- Dr P Owens

RESOLVED:

That the report be received.

Clr Mrs N Hawkins and Ms S Leckie left the meeting at 3.13pm.

77/13 16. FULL APPLICATION – PROPOSED AGRICULTURAL BUILDING TO HOUSE LIVESTOCK AT HIGH MERE FARM, TADDINGTON (NP/DDD/0213/0138 414320 / 370572 P1442 SPW 01.05.2013)

Clr P Brady confirmed that Taddington Parish Council had not objected to this application and therefore it had not needed to be brought before the committee. Members proposed a motion to put the application back to Officers for a delegated decision. The motion was seconded, voted upon and carried.

RESOLVED:

That the application be decided under Officer delegation.

78/13 14. FULL APPLICATION FOR THE DEMOLITION OF A SINGLE DWELLING HOUSE AND ERECTION OF A REPLACEMENT DWELLING AT THE CROFT, BUXTON ROAD, TIDESWELL. (NP/DDD/1112/1145, P4298, 15/3/2013, 415234 / 375244/SC)

It was noted that the Applicant had registered to speak on this Item but had been unable to attend because of his work requirements.

The Officer corrected wording in the first paragraph so that “eastern” and “western” were transposed. He stated that the standard condition specifying commencement time for the development should be added and confirmed that the Environment Agency had no objections subject to conditions to be agreed (condition 10).

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Standard 3 year time limit**
- 2. Adopt amended plans**
- 3. Remove PD rights**
- 4. Removal of existing structure prior to works commencing**
- 5. Minor design/details**
- 6. Highway requirements**
- 7. Garaging space to remain available for designated use in perpetuity for the dwelling**
- 8. Submit and agree details for energy saving and sustainability features**
- 9. Underground services**
- 10. Agree means of spoil disposal**
- 11. Environment Agency conditions and advice.**
- 12. Ecology condition**

It was noted that Item 15 had been withdrawn from the Agenda because the applicant had agreed to make amendments to the scheme that removed officer objection.

The meeting concluded at 3.25pm.