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**AGENDA ITEM No. 2**

**MINUTES**

<b><u>Meeting:</u></b>	<b>Planning Committee</b>
<b><u>Date:</u></b>	8 February 2013 at 10.00 am
<b><u>Venue:</u></b>	The Board Room, Aldern House, Baslow Road, Bakewell
<b><u>Chair:</u></b>	Clr Mrs L Roberts
<b><u>Present:</u></b>	Mr P Ancell, Miss P Beswick, Clr D Birkinshaw, Clr P Brady, Clr C Carr, Clr D Chapman, Clr A Favell MBE, Clr Mrs H M Gaddum, Clr Mrs N Hawkins, Clr H Laws, Mr G Nickolds, Clr B Taylor, Clr Mrs J A Twigg,
<b><u>Apologies for Absence:</u></b>	Ms S Leckie, Mr C Pennell, Clr G Purdy, Clr Mrs K Potter, Clr Mrs M Stockdale, Clr P Wood.

**12/13 CHAIR'S ANNOUNCEMENTS**

The Chair thanked Members who had undertaken site visits on the previous day and emphasised the need to inform Democratic Services of attendance so that accurate assessments of catering and transport provision could be made.

The Chair announced that the Part B minute of the meeting of 11 January would be considered at the end of the meeting.

The Chair noted that a short presentation by planning staff would be given immediately after the meeting.

**13/13 MINUTES**

The Part A minutes of the meeting of 11 January 2013 were approved as a correct record.

**14/13 URGENT BUSINESS**

**PROPOSED RELAXATION OF PERMITTED DEVELOPMENT RIGHTS: CHANGE OF USE FROM B1 COMMERCIAL TO C3 RESIDENTIAL (JRS)**

The Director of Planning brought this report to inform the committee of recent announcements from the Department of Communities and Local Government (CLG) with regard to forthcoming changes to permitted development rights and, in particular, the exemption process in relation to the change of use from commercial to residential buildings, and to seek the committee's approval for the recommended action.

The urgency of the report arose out of the requirement to make a detailed case for an exemption to the CLG by 5pm on Friday 22 February 2013.

The Director noted that a lot of work would be necessary to meet the deadline and that any exemption sought by the Authority would have to be justified. The forthcoming changes had significant implications for the National Park and the Director therefore sought Members' approval to apply for a blanket exemption.

The recommendation was moved and seconded.

Members welcomed the report and regretted the lack of time given by CLG for consultation. They called for the Director to include specific examples of the potential impact upon the National Park in the submission returned to CLG.

The recommendation was voted upon and carried. There were two abstentions.

**RESOLVED:**

- 1. To note the proposed changes to permitted development rights and to apply for a National Park-wide exemption in terms of the change of use from commercial to residential, for the reasons set out in the report.**

**15/13 PUBLIC PARTICIPATION**

Six members of the public had given notice to speak under the Authority's Public Participation Scheme.

**16/13 MEMBERS' DECLARATION OF INTERESTS**

It was noted that all Members had received email correspondence in connection with Items 7 and 13.

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

Item 6:

- Cllr D Chapman, personal interest as the Derbyshire Dales District Ward member for Hartington

Item 8:

- Cllr Mrs N Hawkins, personal, as she knew Mr R Duncan when he was an Officer at Staffordshire Moorlands District Council.
- Cllr Mrs L Roberts, personal, as she had received an email about the application.

Item 13:

- Cllr D Chapman, prejudicial interest as he was a personal friend of the Applicant. He would leave the meeting at the beginning of the Item and take no part in the debate or voting.

**17/13 ITEMS FOR APPROVAL WITH NO DISCUSSION**

The following item was the only one identified for approval without discussion:

**6. DESIGNATION OF HARTINGTON TOWN QUARTER NEIGHBOURHOOD AREA (AM)**

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

**RESOLVED:**

**That the area of Hartington Town Quarter Parish be designated as a neighbourhood area (the area shown on the map in Appendix 1 of the report), under the Localism Act 2011 Schedule 9, section 61G.**

**18/13 7. FULL APPLICATION – CHANGE OF USE OF BARN/OUTBUILDING TO INFORMATION AND INTERPRETATION POINT, LANE END FARM, ABNEY (NP/DDD/1112/1168, P.1660, 21/11/2012, 419924 379933/KW)**

The Officer stated that since the report had been written, an Enforcement Notice had been served upon the owner of the farm holding and she no longer occupied the first floor of Barn 1. She had moved into a caravan on the site but a further Enforcement Notice required her to leave, which she would be doing in the next few weeks.

The following made representations under the Public Participation Scheme:

- Clare Cottrill, Objector
- Mr Chadwick, Chair of Abney Parish Meeting and Objector
- Gillian Scotford, Applicant

A motion to refuse the application for prematurity was moved and seconded.

Officers advised Members that reasons for refusal would have to apply specifically to the proposal for the information point.

Following discussion, the mover withdrew the motion to refuse in agreement with the seconder.

A motion to approve the application was moved and seconded, voted upon and carried.

**RESOLVED:**

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

- 1. Building to be used solely for the display of information boards and associated information and shall not be used for retail sales.**
- 2. Proposed new 1.8m timber fencing to be omitted and existing timber post and rail fencing enclosing the small yard area in front of building to be removed and replaced with 1.0m high metal estate fencing painted black, which shall be installed prior to the building being brought into use.**
- 3. Submit and agree details of the replacement metal estate fencing.**
- 4. Submit and agree details of replacement doors and windows.**
- 5. Existing window frame in South-West elevation to be replaced with a fixed obscure-glazed window frame prior to the interpretation building being brought into use, and permanently so maintained.**
- 6. Minor detailed design clarifications/requirements e.g. pointing, eaves, rain water goods, verge treatment, frame recessing and agree handrail detail.**

**19/13 8. FULL APPLICATION – REPLACEMENT OF A LEAN-TO BUILDING WITH A DUAL PITCH STEEL PORTAL FRAMED ABATTOIR BUILDING BEHIND THE EXISTING BARN, WELLCROFT FARM, GRINDON (NP/SM/1012/1006, P11387, 06/10/2012, 408574/353842/LF)**

The Officer confirmed that current employment at the site was five full-time equivalent jobs and that the proposed development would create two more.

20 letters of objection had been received and the Parish Council had also objected. Staffordshire County Council Highways Authority had no objections, nor did the Environment Agency. The proposed ancillary use for education purposes would be controlled by condition.

At the site visit Members had seen the landscaping scheme as approved in a previous application.

The Officer confirmed that the size of the holding was sufficient to accommodate both the animals raised and fattened on site and those brought in from other holdings. At the request of Members, she provided additional wording for Condition 8 so that it read:

‘At least 70% of animals processed in the abattoir shall be raised on the holding or fattened on the holding for a minimum period of 8 weeks prior to slaughter’

Members were minded to grant the application subject to Officers agreeing conditions with the Applicant re an upper limit on the number of animals processed at the farm. The Director stated that this could be delegated to Officers in consultation with the Chair. The Applicant would have to apply to vary a condition regulating the upper limit if that limit were to be exceeded in future.

The following made representations under the Public Participation Scheme:

- Rob Duncan, representing local objectors
- Craig Barks, Agent

**RESOLVED:**

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

- 1. 3 year Time Limit**
- 2. Approved Plans**
- 3. Maintain as a single planning unit**
- 4. Restrict use of the building to an abattoir only**
- 5. Hours of operation permitted shall be restricted to 8am to 6pm Monday to Friday, and there shall be no deliveries to the site outside of these hours, or on any Bank Holiday.**
- 6. Limit on number of educational visits per year to no more than 12 visits of groups of more than 6 people for the purposes of education and/or training shall take place at Wellcroft in any one calendar year.**
- 7. Proposed use to take place only in the permitted building.**

8. **At least 70% of animals processed in the abattoir shall be raised on the holding for a minimum period of eight weeks prior to slaughter.**
9. **No direct retail sales from the site.**
10. **Foul drainage details.**
11. **Design details.**

**20/13 9. FULL APPLICATION – ERECTION OF MONO PITCH LEAN-TO BUILDING TO HOUSE PIGGERY, WELLCROFT FARM, GRINDON (NP/SM/1012/1007, P11387, 06/10/2012, 408574/353842/LF)**

The Officer stated that the number of pigs would not be increased and that the new extension would improve the welfare of the animals. The piggery would not create extra noise or smell.

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

**RESOLVED:**

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

1. **3 year Time Limit**
2. **Approved Plans**
3. **Landscape scheme**
4. **Design details**
5. **When no longer in use for agricultural purposes the building should be removed.**

A short break was taken between 11.30am and 11.35am.

The Chair brought forward Item 11 as a member of the public was present to speak on it under the Public Participation Scheme.

**21/13 11. FULL APPLICATION FOR THE ERECTION OF A REPLACEMENT DWELLING AT CANDLEMAS COTTAGE, PEAK FOREST (NP/HPK/1112/1116, P3090, 07/11/2012, 411409/379076/TC)**

The Officer stated that the current proposals were essentially the same as those made in 2012 but with the addition of a gable extension. He enabled Members to compare the two through a visual presentation.

He gave detail of calculations in the report that were disputed by the Agent.

The following made representations under the Public Participation Scheme:

- Mr R Hopkins, Applicant

A motion to approve the application was moved and seconded, and Officers advised that the same conditions should be adopted as those applied to the 2012 approval. These were read out in full. The colour of the frame of the conservatory would also be determined by condition.

The motion to approve was voted upon and carried.

**RESOLVED:**

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

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby approved shall not be carried out otherwise than in complete accordance with the submitted plans and specifications numbered 001F (Location Plan) and the amended plans numbered 1651/09C which were received by the Authority on 30th July 2012 subject to the following conditions and/or modifications:-**
- 3. The external walls shall be clad with natural random-coursed limestone. Prior to the cladding of the external walls a sample panel of the walling of at least 1.0 metre square shall be constructed on the site. The National Park Authority shall be informed on the completion of the sample panels, which shall then be inspected. All subsequent walling shall match the sample panels in terms of stone colour, size, texture, coursing and pointing, subject to whatever reasonable modifications may be specifically required in writing by the Authority. If necessary the Authority shall request the construction of another sample panel incorporating the required modifications.**
- 4. The roof shall be clad with natural blue slates. A sample of the slate to be used for the external cladding of the roof shall be submitted to and approved in writing by the National Park Authority before the commencement of the roofing works. The development shall then be carried out in accordance with the approved details and permanently so maintained unless otherwise agreed in writing by the National Park Authority.**
- 5. The pointing to all new external stonework shall be bag or brush-rubbed and slightly recessed from the external face of the stonework.**
- 6. The quoins shall be natural gritstone a sample of which shall be submitted to and approved in writing by the National Park Authority prior to the recommencement of any building works on site. The development shall then be carried out in accordance with the approved details.**
- 7. All window openings shall be provided with natural gritstone lintels and sills and all door openings provided with natural gritstone lintels.**
- 8. The external window and doors shall be of timber construction.**
- 9. Prior to the installation of any windows and doors full details of their precise design, including any glazing bar detail and external finish, shall be submitted to and approved in writing by the National Park Authority.**

10. The rainwater goods shall be either cast metal painted black or aluminium powder coated black. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
11. The roof verge(s) shall be flush cement pointed, with no barge boards or projecting timberwork.
12. Prior to the installation of any external meter boxes, precise details of their design, including size and position, shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details and shall be permanently so maintained.
13. Prior to the installation of any solar panels precise details of their design, including size and position, shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details and shall be permanently so maintained.
14. All pipework, other than rainwater goods, shall be completely internal within the building.
15. Colour of framework for conservatory to be agreed.
16. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the dwelling shall be carried out and no extensions, porches, ancillary buildings, satellite antenna, gates, fences, walls or other means of boundary enclosure shall be erected on the site without the National Park Authority's prior written consent.
17. No boundary trees or hedging on the site shall be wilfully damaged or destroyed or felled, topped or uprooted without the prior written consent for the Authority, other than those which are specifically shown on the approved plan for removal. Any trees or hedging proposed for removal shall be replaced as part of a replanting scheme to be submitted and approved in writing by the Authority prior to the commencement of any removal works. Such a replanting scheme shall be submitted at the same time as any felling proposals.
18. Provision shall be made for the parking of three vehicles within the site in accordance with a scheme which shall be submitted to and approved in writing by the National Park Authority. The parking spaces shall be available for use before the development hereby approved is first occupied. The spaces shall be retained at all times thereafter unless otherwise approved in writing by the Local Planning Authority.

**22/13 10. FULL APPLICATION – CONSTRUCTION OF DRYSTONE REVETMENT WALL, NEAR WYEDALE CAR PARK, TOPLEY PIKE (NP/DDD/0113/0018, P.4535, 22/01/2013, 409799/372795/AM)**

The Officer reported that the Environment Agency had no objections to the proposal, nor did Natural England provided that it was subject to ecological conditions. A full ecological survey would be undertaken by the Authority. A separate consent was being sought from the Environment Agency.

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

**RESOLVED:**

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

- 1. 3 year time limit to commence development**
- 2. Carry out development in accordance with the submitted plans.**
- 3. Carry out development in accordance with recommendations of the submitted survey report.**
- 4. Materials and construction of proposed revetment wall.**

**23/13 12. FULL APPLICATION – PROPOSED CONSERVATORY, BOLE HILL FARM, BAKEWELL DE45 1QW (NP/DDD/1112/1191, P7008, 23/01/2013, 418702/367381/IF)**

This application had been brought to committee because the Town Council supported it. Officers recommended refusal on the grounds that it was contrary to design policies relating to conservatories, both in its siting and materials.

The recommendation was moved, seconded and carried in the vote.

**RESOLVED;**

**That the application be REFUSED for the following reasons:**

- 1. Inappropriate development on the front of a dwelling contrary to policies GSP3 and L1 of the Core Strategy and to LC4, and LH4 of the Local Plan.**
- 2. Design would not conserve and enhance the host building.**
- 3. Materials would not conserve and enhance the host building and are contrary to design guidance.**
- 4. Reasonable alternative sites have been suggested but discounted.**

**24/13 13. UNAUTHORISED DEVELOPMENTS AT FIVE ACRES FARM, NARROW GATE LANE, WARDLOW (ENF. 07/0084, P.3714/AJC)**

As Cllr D Chapman had declared a prejudicial interest in the item, he left the room and took no part in the debate or the voting.



The Officer stated that an Enforcement Notice was being drafted in relation to haulage activities at the Farm. The complex details of land ownership were being checked prior to serving of the Notice which would occur within the next 7-10 days.

The Director confirmed that an application relating to the parking of heavy goods vehicles at Five Acres Farm had now been validated and registered. A response from the Highways Authority was also awaited.

It was noted that the informal appeal hearing for the application refused at the meeting on 9 November 2012 would take place on Tuesday 9 April 2013.

**RESOLVED:**

1. That the report be noted.
2. That a further update be provided in the next quarterly Monitoring & Enforcement Review that would be reported to Planning Committee in April 2013 and in subsequent quarterly reports to Committee.

Clr D Chapman rejoined the meeting.

**25/13 14. PLANNING APPEALS (A.1536/AMC)**

**RESOLVED:**

1. That the report be received.

A proposal to move to Part B was moved, seconded, voted upon and carried.

**26/13 EXEMPT INFORMATION S100 (A) LOCAL GOVERNMENT ACT 1972 EXCLUSION OF THE PRESS AND THE PUBLIC**

**RESOLVED:**

1. That the public be excluded from the meeting during consideration of the following Item to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 3 "Information relating to the financial or business affairs of any particular person, (including the Authority holding that information)" and Paragraph 5 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings"

**PART B**

**SUMMARY**

**27/13 THE EXEMPT MINUTES OF THE MEETING OF 11 JANUARY 2013**

The meeting closed at 12.35pm.