
AGENDA ITEM No. 2

MINUTES

Meeting: **Planning Committee**

Date: 8 March 2013 at 10.00 am

Venue: The Board Room, Aldern House, Baslow Road, Bakewell

Chair: Clr Mrs L C Roberts

Present: Mr P Ancell, Miss P Beswick, Clr D Birkinshaw, Clr P Brady, Clr C Carr, Clr D Chapman, Clr Mrs H M Gaddum, Clr Mrs N Hawkins, Clr H Laws, Ms S Leckie, Mr C Pennell, Clr Mrs K Potter, Clr Mrs M Stockdale, Clr D B Taylor, Clr Mrs J A Twigg, Clr P Wood.

Apologies for Absence: Clr A R Favell and Mr G D Nickolds.

28/13 MINUTES

The minutes of the meeting held on 8 February 2013 were approved as a correct record.

29/13 PUBLIC PARTICIPATION

The Chair reported that 12 members of the public had given notice to speak.

It was noted that item 8 had been deferred from the agenda due the applicant's illness and the need for further information.

30/13 MEMBERS' DECLARATION OF INTERESTS

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

Item 14

- Clr Mrs K Potter, personal interest as her husband had worked for the applicant many years ago.

Item 16

- Clr Mrs K Potter, personal interest as she attends Wensley Parish Council meetings but did not attend when this application was discussed.

Items 11 and 12

- It was noted that the Director of Planning had been involved in pre-application advice regarding both these applications prior to his employment by the Authority and would therefore take no part in the discussions.

31/13 6. FULL APPLICATION – CHANGE OF USE FROM SHOP TO FOOD TAKEAWAY, COUNTRY CHOICE, MAIN ROAD, GRINDLEFORD (NP/DDD/1112/1194, P.11009, 03/01/2013, 424382 377692/KW)

The Planning officer gave an update to the report and added an extra reason for refusal to the recommendation to state 'detrimental impact upon the viability and vitality of the village street and the wider community contrary to policies HC5 and LS1'. A further letter of objection had been received.

The following spoke under the Public Participation at Meetings scheme:

- Sarah Battarbee and Lionel Stout, representatives of Grindleford Community Shop Ltd, Objectors, shared the 3 minute speaking allocation
- Mr Michael Peckett, Applicant

10.26am Clr D Chapman left the meeting.

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

RESOLVED:

That the application be REFUSED for the following reasons:

1. **Contrary to policies HC5 and LS2, insufficient evidence to demonstrate that the existing A1 shop use is not viable or that other alternative community needs could be accommodated within the building.**
2. **Detrimental impact upon the viability and vitality of the village street and the wider community, contrary to policies HC5 and LS1.**

32/13

7. ADVERTISEMENT CONSENT – ERECTION OF 4 FASCIA SIGNS. FORMER BENNETTS, KING STREET, BAKEWELL (NP/DDD/1212/1267, P.941 11/02/2013 421701/368437/AM)

The Planning officer reported that amended plans had been received which were acceptable and necessitated condition 2 of the recommendation to be amended to state 'approved plans drawing no.s '5.2 D' and '2.1 F' not '1.2 G'. Also a late representation had been received regarding possible asbestos in the fascia but this was not a material planning consideration.

The following spoke under the Public Participation at Meetings scheme:

- Mr N K Johns, resident of Bakewell and supporter of the amended plans.

The recommendation for approval subject to conditions, as amended, was moved, seconded, voted on and carried.

RESOLVED:

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

1. **Standard conditions (statutory requirement of the advertisement regulations).**
2. **The development hereby approved shall not be carried out otherwise than in complete accordance with approved plans drawing no.s '5.2 D' and '2.1 F'.**
3. **The advert hereby approved shall not be illuminated.**

The meeting was adjourned at 10.40am for a short break and reconvened at 10.46am.

33/13 9. FULL APPLICATION FOR THE CHANGE OF USE OF VACANT HOTEL TO 5 APARTMENTS AND 1 SELF CONTAINED COTTAGE AT BENNETSTON HALL, DOVE HOLES (NP/HPK/0912/0950 P.6162, 408370/379790/TC)

The Planning officer amended the report in the first sentence of the paragraph headed 'History' by replacing the word 'appeal' with the word 'application'. He reported that a response had been received from the Environment Agency and that an extra condition would be added to the recommendation to cover their standard requirements.

The following attended under the Public Participation at Meetings scheme:

- Mr Ian Southworth, Applicant – was present to answer any questions.

A motion was proposed for approval on the basis that the building was not vernacular and the proposal was a departure from policy was moved but not seconded.

A motion for approval subject to conditions as set out in the report and including the extra condition was moved and seconded. This was then voted on and carried.

RESOLVED:

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

1. **Statutory time limit**
2. **Amended plans**
3. **All new stonework to match**
4. **Pointing**
5. **Roof to be clad in natural blue slates. Sample to be provided**
6. **Timber windows and doors**
7. **Windows provided with natural gritstone lintels and sills and sills to doors**
8. **Submit joinery details**
9. **Rainwater goods**
10. **All services to be underground**
11. **External lighting**
12. **Ecology**
13. **Highways**
14. **No storage of outside materials**
15. **Trees**
16. **Removal of permitted development rights**
17. **Environment Agency Requirements**

34/13 10. FULL APPLICATION – CHANGE OF USE OF VACANT BARN TO HOLIDAY COTTAGE INCLUDING NEW SEPTIC TANK INSTALLATION, HIGHER BARMOOR FARM, DOVEHOLES, PEAK FOREST (NP/HPK/0812/0791, P1653, 14/8/2012, 408814/379730 /RRF/JK)

The Planning officer reported that there had been no response from Highways but that the access had good visibility.

The following spoke under the Public Participation at Meetings scheme:

- Mr Morton, Applicant

A motion for approval of the application subject to some design amendments was moved and seconded and then withdrawn. A motion for deferral of the application to allow for further discussions with the applicant on design details and to allow for a site visit to assess the impact of the proposal on the setting was moved and seconded. This was then voted on and carried.

RESOLVED:

That consideration of the application be DEFERRED for further discussions with the applicant on design details and a site visit to assess the impact of the proposal on the setting.

35/13 11. FULL APPLICATION FOR THE CHANGE OF USE OF AN AGRICULTURAL BARN TO DOMESTIC DWELLING AT THE FIRS, HAWKWHILL ROAD, EYAM (NP/DDD/1112/1177 P.1710, 421839/376804/TC)

The Assistant Solicitor reminded the meeting that the Director of Planning would not be taking part in the discussions for this application and the following application.

The following spoke under the Public Participation at Meetings scheme regarding this application and the following application:

- Mr N Marriott, Agent

In response to queries the Planning officer stated that the building was a curtilage listed building and was now in separate ownership to the main listed building. It was noted that the applicant would not meet local need criteria.

A motion for approval subject to conditions to preserve and enhance a heritage asset was moved and seconded. Conditions were suggested to cover landscaping, joinery, highways, minor design amendments, ecology mitigation, parking, sub division of the curtilage and further conditions to be agreed in consultation with the Chair. The motion was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Submit and agree landscaping scheme, including fencing**
- 2. Submit and agree joinery scheme**
- 3. Submit and agree highways scheme**
- 4. Minor design details/amendments**

5. **Ecology mitigation**
6. **Maintain parking**
7. **Sub division of curtilage to be agreed – no further fencing within garden**
8. **Withdraw permitted development rights**
9. **Underground services**
10. **Any further conditions to be agreed in consultation with the Chair of Planning Committee.**

36/13 12. LISTED BUILDING APPLICATION FOR THE CHANGE OF USE OF AN AGRICULTURAL BARN TO DOMESTIC DWELLING AT THE FIRS, HAWKWHILL ROAD, EYAM (NP/DDD/1112/1178 P.1710, 421839/376804/TC)

Members felt that the boundary in the garden should be natural egg stone, rather than fencing. A motion for approval subject to conditions to enhance and conserve the listed building was moved and seconded.

Conditions were agreed to cover joinery, minor design amendments and the division of the curtilage. Officers agreed to check the provision of services to the building. The motion was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Submit and agree joinery scheme**
2. **Minor design details**
3. **Submit and agree boundary details for division of curtilage**

12.25pm Cllr D Chapman rejoined the meeting.

37/13 13. FULL APPLICATION – ADDITION OF A SECOND STOREY TO AN EXISTING SINGLE STOREY EXTENSION, TO CREATE ADDITIONAL BEDROOMS AND EN-SUITE, AT HEYBARN FARM, GLOSSOP ROAD, LITTLE HAYFIELD. (NP/HPK/0712/0773, P.3255, 3.8.2012, 403045 / 389799/SC)

The following spoke under the public participation at meetings scheme:

- Mr J McPherson, Applicant

A motion for deferral of the application to allow for further discussions with the applicant was moved and seconded. This was then voted on and carried.

RESOLVED:

That consideration of the application be DEFERRED to allow for further discussions with the applicant.

38/13 14. FULL APPLICATION FOR THE CONVERSION OF A STABLE BLOCK TO DISABLED HOLIDAY ACCOMMODATION (RESUBMISSION OF NP/DDD/0712/0753) AT HOLLOWGATE FARM, HOLLOWGATE, FROGATT, (NP/DDD/1112/1209 P.7722, 424304/376225)

The following spoke under the public participation at meetings scheme:

- Mr R Molyneux, Applicant

Some Members felt there was a need for tourist accommodation for the disabled in the National Park and therefore a motion for approval subject to conditions was moved and seconded. The Planning officer suggested that conditions should cover short term holiday let and be ancillary to main house, adopt amended plans, retain parking space, minor design amendments, highway conditions, submission and agreement of full disability compliance scheme, solar panels, roof lights and French windows.

The motion was voted on and carried with issues of solar panels, roof lights and French windows to be agreed by officers in consultation with the Chair.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Short term holiday let only and be ancillary to main house**
2. **Adopt amended plans**
3. **Retain parking space**
4. **Minor design details/amendments**
5. **Highway conditions**
6. **Submit and agree full disability compliance scheme**
7. **Solar panels, rooflights and French windows to be agreed by officers in consultation with the Chair of Planning Committee**

1.02pm Cllr P Brady left the meeting.

39/13 16. FULL APPLICATION – INSTALLATION OF SOLAR PANELS TO SOUTH WEST ROOF OF DWELLING HOUSE, THE BRIARS, MAIN ROAD, WENSLEY (NP/DDD/1012/1080, P.942 18/02/2013 426483/361183/AM)

The Planning officer reported that an email had been received from the applicant, including a photo of the solar panels in situ, this was summarised for the Committee.

1.04pm Cllr P Brady re-joined the meeting.

The following spoke under the public participation at meetings scheme:

- Mr A Bailey, Applicant

It was noted that permitted development rights had been removed by a previous planning permission and that the solar panels were larger than roof lights and within a Conservation Area. The recommendation for refusal was moved and seconded. This was then voted on but lost.

A motion for approval subject to conditions, as the application was environmentally friendly and the photo provided by the applicant showed a lower impact than the ones provided by the Authority's officers, was moved and seconded. The Planning officer suggested that conditions should cover removal of the solar panels when no longer required and re-cladding of roof in matching slates. The motion was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following condition:

- 1. Solar panels to be removed when no longer required and roof to be re-clad in matching slates.**

The meeting adjourned at 1.25pm for a lunch break and reconvened at 1.50pm.

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, Clr H Laws, Ms S Leckie, Mr C Pennell, Clr Mrs K M Potter, Clr Mrs M Stockdale, Clr B Taylor, Clr Mrs J A Twigg, Clr P Wood.

40/13 15. FULL APPLICATION – ALTERATIONS TO FORMER FARMHOUSE TO CREATE A LOCAL NEEDS DWELLING AND THE CONVERSION OF 5 HOLIDAY UNITS, AT CRAWSHAW FARM, UGHILL, BRADFIELD. (NP/S/1012/1010. P.1775. 12.11.2012, 425411 / 388890/SC)

It was noted that the Policy Team were monitoring numbers of holiday accommodation units within the National Park.

It was agreed to add to condition 5 of the recommendation to require the submission and agreement of a scheme for a single communal satellite dish

The recommendation for approval subject to conditions, as amended, was moved, seconded, voted on and carried.

The Director of Planning reported that the Authority had produced a leaflet regarding solar panels which was now available and that a report on a supplementary planning document on climate change and renewable energy sources would be reported to the next Authority meeting.

RESOLVED:

That the application be APPROVED subject to the prior entry into a S.106 agreement relating to restrictions covering affordability and local occupation of the local need dwelling and to the following conditions:

- 1. 2 year time limit to start development in respect of local need dwelling**
- 2. 3 year time limit to start development in respect of holiday accommodation**
- 3. Adopt amended plans**
- 4. Submit and agree window and door design/details before insertion**
- 5. Withdraw permitted development rights for external alterations, extensions, porches, ancillary buildings, walls and fences and satellite dishes**
- 6. Holiday cottages to be limited to short let holiday use ancillary to Crawshaw Farm only**
- 7. Designated parking areas remaining unobstructed and retained throughout lifetime of development available for designated use**

8. Define residential curtilage of local need house/holiday cottages
9. Submit and agree landscaping scheme and scheme of external works
10. Submit and agree an appropriate environmental management scheme
11. Submit and agree scheme for a single communal satellite dish

41/13 17. ITEMS FOR APPROVAL WITH NO DISCUSSION:

17.1 DESIGNATION OF BRADWELL NEIGHBOURHOOD AREA (AM)

RESOLVED:

That Members designate the area of Bradwell Parish 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*.

42/13 18. ASSESSING THE CAPACITY FOR FURTHER DEVELOPMENT IN VILLAGES LISTED IN THE CORE STRATEGY (A.61063/BJT)

The Policy Planning Manager amended the report in paragraph 10 by adding Bradwell to the list of parishes where village/site assessments had taken place.

The following spoke under the public participation at meetings scheme:

- Cllr C Furness as District Councillor for Bradwell

It was noted that the supplementary planning documents could be adopted by the Planning Committee. The recommendation was moved, seconded, voted on and carried.

RESOLVED:

1. Agreed the target and mechanism for undertaking assessments shown in Appendix 1 of the report.
2. Agreed that capacity assessments should be used as follows when assessing planning applications:
 - (a) Where relevant, the findings of an assessment will form part of a report to planning committee, and
 - (b) Where there is pressure for development and the Authority is uncertain about the capacity for this in a named settlement, an assessment of site alternatives will be required to demonstrate the extent of development which may be permitted. This process should be carried out by the applicant (with the involvement of the Parish Council or Parish Meeting) and agreed by the Authority before the case is decided.

43/13 19. PLANNING APPEALS (A.1536/AMC)

Members considered and noted appeals lodged and decided during the month. It was noted that the Director of Planning would be sending an update to Members regarding the appeals at Wensley.

RESOLVED:

That the report be received.

44/13 EXEMPT INFORMATION S100 (A) LOCAL GOVERNMENT ACT 1972

RESOLVED:

That the public be excluded from the meeting during consideration of Agenda Item No. 21 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 5 “Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings” and Paragraph 3 “Information relating to the financial or business affairs of any particular person (including the authority holding that information)”

PART B

45/13 EXEMPT MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 8 FEBRUARY 2013

The exempt minutes of the meeting held on 8 February 2013 were approved as a correct record.

The meeting ended at 2.30pm.