



---

## MINUTES

Meeting: **Planning Committee**

Date: Friday 11 December 2015 at 10.00 am

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

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr C Carr, Cllr D Chapman, Cllr Mrs N Hawkins, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Ms S McGuire, Cllr Mrs K Potter and Cllr Mrs J A Twigg

Cllr Mrs L C Roberts and Cllr A McCloy attended to observe and speak but not vote.

Apologies for absence: Cllr P Brady, Cllr J Macrae and Cllr G Weatherall.

### 1/15 MINUTES OF PREVIOUS MEETING OF

The minutes of the last meeting of the Planning Committee held on 13 November 2015 were approved as a correct record.

### 2/15 MEMBERS DECLARATIONS OF INTEREST

Items 6 & 7

- The Chair acknowledged that all Members had received an email and booklet from the applicant at Riverside Business Park and James Atkinson of Counter Context for items 6 & 7.
- Cllr Mrs K Potter declared a personal interest as she regularly attends Bakewell Town Council meetings, although she has never stayed for the planning discussions.
- Cllr Mrs J Twigg declared a personal interest as a district and county councillor for Bakewell and that she knew many of the speakers and representatives and had received emails relating to the applications
- Mr R Helliwell declared a personal interest in that he knew one of the speakers and the applicant for this application.

Item 9

- Cllr Mrs K Potter and Cllr Mrs C Howe declared a personal interest as they had been given a photograph during the site visit

Item 10

- Cllr C Carr declared a personal interest in that he knew the applicant but has not discussed the application with them.

Item 12

- Cllr A McCloy declared a personal interest in that he had received emails from the Applicant and the District Council on this item.
- Mr R Helliwell declared a personal interest as he is a customer of the agent's employer, Bagshaws.

Item 14

- Mr R Helliwell declared a personal interest as he knew one of the speakers, Cllr Bill Gordon
- Mrs S McGuire declared a personal interest as she knew two of the speakers, Cllr Bill Gordon and Mrs Heather Rodgers.
- Cllr Mrs J Twigg declared a personal interest as she knew the agent Mr G Smith and two of the other speakers, Cllr Bill Gordon and Mrs Heather Rodgers.

Item 15

- Mr R Helliwell declared a personal interest in that he knew the applicant but had not discussed the item.

Item 16

- Cllr D Chapman declared a personal and prejudicial interest as the applicant is a close friend and he will leave the meeting during this item and take no part in the debate or voting.

Item 20

- Cllr Mrs K Potter declared a personal interest as she had organised and attended a site visit at the Vicarage, Church Lane, Rowsley.

**3/15 PUBLIC PARTICIPATION**

Fifteen members of the public were present to make representations to the Committee.

**4/15 OUTLINE APPLICATION: PROPOSED COMMERCIAL/RETAIL-LED DEVELOPMENT, MIXED USE DEVELOPMENT, ASSOCIATED WORKS AND DEMOLITION OF EXISTING BUILDINGS AT RIVERSIDE BUSINESS PARK, BUXTON ROAD, BAKEWELL**

Members had visited the site on the previous day.

The following spoke under the Authority's Public Participation Scheme:

- Mr Peter Stubbs - Resident of Holme Lane, Objector
- Mr Colin Bateman - Objector
- Mr Jim Harrison – Supporter
- Mr Neil Goldsmith NLP – Agent

Members raised an issue regarding Highways and why a report had not been included from the Highways Authority, Derbyshire County Council, Officers stated that the report had not yet been received. Officers confirmed that the installation of a new bridge already had planning permission, although funding had not been found by developers. The Authority is working with the developers to try and locate funding to enable the bridge to be built.

Members were concerned regarding development taking place prior to the installation of a new bridge and the impact on the residents of Holme Lane and felt the development can not take place until the bridge was built.

Members also expressed concerns regarding the plan for retail units so close to the centre of Bakewell and the economic impact this could have on the town centre.

Officer clarified the first sentence of reason 2 of the recommendation by adding "The proposals are contrary to saved Local Plan policy LB7 because they do not constitute the comprehensive redevelopment of the Riverside Business Park predominantly for employment uses, nor do they include an appropriate mix of uses as provided for by policy LB7.

The officer concluded that in light of the recommendation, even if a comparative exercise had been carried out between this application and the Aldi application, the Aldi Application would still have been a positive recommendation. The Aldi Application was acceptable in planning terms whilst the Riverside Application is not, for reasons beyond that only one additional food store is acceptable in Bakewell

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

**RESOLVED:**

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

- 1. In the absence of sufficient evidence to demonstrate the current proposals would achieve a sufficiently viable scheme to fund a new road bridge over the River Wye to the site, it cannot be demonstrated that exceptional circumstances exist which demonstrate that granting planning permission for major development in the National Park is in the public interest, contrary to policy GSP1 of the Core Strategy and national planning policies in the Framework.**
- 2. The proposals are contrary to saved Local Plan policy LB7 because they do not constitute the comprehensive redevelopment of the Riverside Business Park predominantly for employment uses, nor do they include an appropriate mix of uses as provided for by policy LB7.. In the absence of sufficient evidence to demonstrate the current proposals would achieve a sufficiently viable scheme to fund a new road bridge**

over the River Wye to the site, there is insufficient justification to grant permission for proposals that do not constitute the comprehensive redevelopment of the Riverside Business Park predominantly for employment uses, contrary to saved Local Plan policy LB7.

3. In the absence of sufficient evidence to demonstrate the current proposals would achieve a sufficiently viable scheme to fund a new road bridge over the River Wye to the site, there is insufficient justification to grant permission for over 2600m<sup>2</sup> of floorspace for a mixture of town centre uses outside of Bakewell's town centre, contrary to saved Local Plan policy LB9 and policy HC5 of the Core Strategy.
4. In the absence of sufficient evidence to demonstrate the current proposals would achieve a sufficiently viable scheme to fund a new road bridge over the River Wye to the site, it cannot be demonstrated that the proposed development would be provided with a safe and suitable access, contrary to saved Local Plan policy LT18 and national planning policies in the Framework.
5. By virtue of the size and scale of the proposed development, and the range of town centre uses proposed on the site, granting planning permission for the current application would have a significant and adverse impact upon the viability and vitality of Bakewell Central Shopping Area by creating a quasi-town centre environment that would compete directly with the existing town centre. These impacts would be exacerbated by the cumulative impacts of the food store proposed in this application and the foodstore already granted planning permission on an adjacent site. Therefore, the proposal is contrary to the specific policies in the Framework relating to retail development and town centres, and acceptance of the proposals would not be in the public interest, contrary to the provisions of paragraph 116 of the Framework.

Stella Maguire joined the meeting at 11.05 following the vote.

**5/15 FULL APPLICATION: DEMOLITION OF FORMER MILL BUILDINGS, ASSOCIATED STRUCTURES AND OTHER BUILDINGS AND ERECTION OF 72-BED HOTEL DEVELOPMENT INCORPORATING GROUND FLOOR FLOORSPACE WITH FLEXIBILITY TO BE USED FOR CLASS A3 AND CLASS D2 USES, IMPROVEMENTS TO EXISTING SITE ACCESS, PARKING AND LANDSCAPING AND OTHER ASSOCIATED WORKS AT, RIVERSIDE BUSINESS PARK, BUXTON ROAD, BAKEWELL**

Members had visited the site on the previous day.

The following spoke under the Authority's Public Participation Scheme:

- Mr Peter Stubbs - Resident of Holme Lane, Objector
- Mr Colin Bateman - Objector
- Mr Mark Krassowski - Supporter
- Mr Neil Goldsmith NLP – Agent

The revised design of the hotel was acceptable and in keeping with the history of the site and the Authority acknowledged that another hotel is required in Bakewell with few sites available for such a development. Overall support for the proposal but issues with access means the officer recommendation is to refuse.

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

**RESOLVED:**

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

- 1. The erection of the proposed hotel, together, with the additional restaurant and commercial uses, in advance of the new bridge access on to the A6 being first completed and available for use, would significantly and adversely impact upon the residential amenities of the occupants of the properties along Lumford and Holme Lane. The proposed development would therefore be contrary to Core Strategy policy GSP3 E, Local Plan policy LC4 (iv) and core planning principles set out in paragraph 17 of the Framework.**
- 2. The proposed vehicular access to the hotel is deficient in terms of its width and the hotel proposals would unacceptably intensify this inadequate vehicular access route along Holme Lane and Lumford. These issues cannot be adequately resolved by the conditions suggested by the Highway Authority, and there is insufficient evidence to demonstrate the parallel application for outline planning permission for further redevelopment of the site would achieve a sufficiently viable scheme to fund a new road bridge over the River Wye to the Business Park. Therefore, the hotel would not be provided with a safe and suitable access contrary to saved Local Plan policy LT18 and national planning policies in the Framework.**

The meeting adjourned at 11.50 for a short break and reconvened at 11.55.

**6/15 ASSESSMENT UNDER THE HABITATS REGULATIONS - BALLIDON QUARRY (APB)- HABITAT REGULATIONS ASSESSMENT IN RELATION TO TWO PARALLEL PLANNING APPLICATIONS WHICH SEEK TO AMEND THE CURRENT EXTRACTION BOUNDARY AND PROVIDE FOR AN ENHANCED RESTORATION SCHEME**

Members had visited the site on the previous day.

Members discussed the recommendation in the report for a second opinion on ecology but due to the strength of the support from Natural England, Officers felt a second opinion was not needed.

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

**RESOLVED:**

- 1. That the report, and its appendices, be adopted as the Authority's Habitat Regulations Assessment in relation to the proposed development at Ballidon Quarry, as defined in the two parallel applications NP/DDD/0715/0618 and NP/DDD/0715/0619.**

2. **It is determined that continued mineral working at the site in accordance with the proposed scheme of working is unlikely to have a significant effect on the integrity of the Peak District Dales SAC. Thus, approval of applications NP/DDD/0715/0618 and NP/DDD/0715/0619, the subject of a separate report to Planning Committee, would not be contrary to the provisions of Regulation 61 of the Conservation of Habitats and Species Regulations 2010 and the EU Habitats Directive and an Appropriate Assessment is not considered necessary.**

**7/15 (A) FULL APPLICATION FOR REVISION TO QUARRY DEVELOPMENT SCHEME WITHIN CURRENT PLANNING CONSENT BOUNDARY AND PROVISION OF ENHANCED RESTORATION SCHEME, BALLIDON QUARRY (NP/DDD/0715/0619, M3893, 31/07/2015, 420192/354944, APB) AND (B) VARIATION OF CONDITIONS (2, 11, 38, 39) CONTAINED IN PLANNING CONSENT NP/DDD/0214/0210 RELATING TO PERMITTED SCHEME OF WORKING AND PROVIDE ENHANCED RESTORATION SCHEME, BALLIDON QUARRY**

Members had visited the site on the previous day.

The officer explained that the two applications were separate but inter-related because of their similarities. The extant planning consent allowed development up to the year 2040. If the current proposals were refused, the existing permission would continue to apply, however the officer's view was that the proposals embodied exceptional circumstances since they do not increase the level of reserves from the site, there is a reduced timeframe for the remaining development, from 2040 to 2035, and there are significant long term biodiversity benefits and landscape enhancements compared to the existing approved scheme.

One letter had been received since the report had been finalised, raising a number of issues including noise, dust levels, cleanliness and safety on the road. The officer confirmed that there had been no complaints about this site and that conditions would continue to control these matters.

Members agreed this was a well run site and that the proposals for a new restoration scheme fit well with the landscape. Some concerns were expressed regarding bat habitat and impact of number of lorries on local residents but a report from the Environmental Health Officer confirmed there were currently no problems. The Director of Conservation and Planning confirmed that the report from the Authority's Ecologist was sufficient.

The recommendations of approval for both applications were moved, seconded, voted upon and carried.

**RESOLVED:**

**A:**

**That application NP/DDD/0715/0619, for revision to quarry development scheme within current planning consent boundary and provision of enhanced restoration scheme, is approved subject to:**

- (i) **The signing of a revised section 106 (covering both planning permissions) to include the following obligations:**

- a) to not win and work minerals in accordance with previous consents;
- b) relinquishment of former consents through formal revocation orders;
- c) not to seek compensation in respect of any formal revocation orders made in respect of previous consents;
- d) annual total sales of limestone products shall be limited to 1.1 million tonnes;
- e) not to sell for Industrial use less than 40% of the total annual sales of limestone products;
- f) to enter into a "Footpath Agreement" for the maintenance of the previously constructed permissive footpath, plus fencing and gates, along the approach road leading to the quarry entrance to separate pedestrians and footpath users from road traffic.

**(ii) Conditions covering the following areas:**

- (a) Duration – limit the duration of the consent to December 2035;
- (b) Access and surfacing arrangements – to remain as current;
- (c) Drainage – submission of scheme to confirm existing drainage arrangements as per condition existing condition 7 of NP/DDD/0214/0210;
- (d) Lorry sheeting and routeing – lorries leaving the site to be sheeted and turn right on exiting the site onto Roystone Lane;
- (e) Number of vehicles – limitations to remain the same, 800 maximum per day (400 In, 400 Out), with current additional control on dry aggregate vehicle movements (240 per day) and night time powders movements (24);
- (f) Working scheme – as amended in line with the application Phases 1 – 6 inclusive and consistent with application NP/DDD/0715/0619, to allow the phasing programme and extraction boundary to be amended to accommodate mineral beneath Tip 3 (extraction in this pp limited to Tip 3 area only), and to undertake revised restoration as per proposal;
- (g) Surveys – requirement to submit annual topographical surveys;
- (h) Production - levels to remain as per current restriction at 1.1 million tonnes per year, with requirement to maintain records and supply MPA with figures on monthly output and production for the previous year;
- (i) Depth of working – to remain as current, 160m AOD in Main Quarry (and 185m AOD in Woodbarn), to cover all operational phases 1 – 6;
- (j) Restriction of permitted development rights, as current;
- (k) Processing – no importation of material into the site for processing except for that for use in concrete and asphalt manufacture;
- (l) Hours of working – to remain as currently conditioned; maintain routine hours of 0600–2000 hours Mon–Fri and 0600–1800 hours Sat for operations other than processing, servicing, environmental monitoring, maintenance and testing of plant; no operations for formation and removal of material from any baffle mounds and soil/overburden storage areas formation and subsequent removal of material from any waste tips and waste storage areas to be carried above original ground level at the site except between the 0800-1800 hours Mon – Fri and 0800-1200 hours Sat; no operations for formation

- and removal of material from any baffle mounds and soil/overburden storage areas formation and subsequent removal of material from any waste tips and waste storage areas to be carried below original ground level at the site except between the 0600-2000 hours Mon – Sat and 0800-1200 hours and 0600-1200 hours Sun; no movement of lorries carrying aggregate except between 0500-1900 Mon to Sat subject to restrictions specified in number of vehicles condition, and excluding powder tankers movements.
- (m) Soil removal and storage - managed in accordance with good practice, as per current condition requirements;
  - (n) Fencing – erection and maintenance of stockproof fencing around whole site for duration of the development;
  - (o) Safeguarding of Scheduled Monument SM29829 as per existing – no mineral extraction or associated activity, including vehicular movements, within 2m;
  - (p) Dust control – update condition to require submission of the Dust Control Scheme which is in operation at present;
  - (q) Noise – standard conditions concerning maintenance of plant in accordance with manufacturers advice to continue; update noise level limits with reference to the noise survey forming part of ES, with specific limits for named properties and an overarching 55dB LA<sub>eq(1hr)</sub> for any other noise sensitive property not listed; application of lower night time limit of 42dB<sub>LAeq (1hr)</sub>; submission of noise attenuation scheme to include provision for routine monitoring;
  - (r) Blasting – re-state conditions to control blast limits, timing of blasting, need for audible warnings prior to any blasting, regular monitoring and retention of records to be supplied to MPA on request, submission of blast monitoring scheme identifying measures in place to control the effects of blasting at the site, including air overpressure;
  - (s) Water protection – continuation of controls concerning storage of oils, fuels and chemicals, no discharge of foul or contaminated water, use of oil interceptor for any surface water drainage from parking areas, hard-standings, etc.;
  - (t) Ecology – requirement to erect bat boxes and bird boxes prior to tree clearance works on southern tip (Tip 3); planting of hedgerow between Tip 3 and Tip 1; submission of schemes detailing bat and breeding bird mitigation measures to be employed for duration of the development; requirement to submit a Landscape and Ecological Management Plan (incorporating a Habitats Management Plan) to cover the duration of the development;
  - (u) Restoration and aftercare – requirement for phased submissions of restoration and aftercare schemes ahead of completion of each phase of the development, in line with overall Restoration Masterplan submitted with the application; requirement for annual restoration and aftercare meetings;
  - (v) Requirement for submission of a report detailing condition of any listed buildings utilised by operator and a statement/programme detailing how the applicant intends to ensure that they are left in an appropriate condition cognisant to their listed status for future re-use at the end of the development.
- (iii) To delegate authority to the Director of Conservation and Planning to agree detailed conditions and wording of the section 106 legal agreement following consultation with the Chair and Vice Chair of the Planning Committee.



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

**B:**

That application NP/DDD/0715/0618, which seeks to vary conditions 2, 11, 38 and 39 on the existing permission NP/DDD/0214/0210 to allow for a revised restoration scheme, is approved subject to:

- (i) The signing of a revised section 106 (covering both planning permissions) to include the following obligations:
  - a) to not win and work minerals in accordance with previous consents;
  - b) relinquishment of former consents through formal revocation order;
  - c) not to seek compensation in respect of any formal revocation orders made in respect of previous consents;
  - d) annual total sales of limestone products shall be limited to 1.1 million tonnes;
  - e) not to sell for Industrial use less than 40% of the total annual sales of limestone products;
  - f) to enter into a "Footpath Agreement" for the maintenance of the previously constructed permissive footpath, plus fencing and gates, along the approach road leading to the quarry entrance to separate pedestrians/footpath users from road traffic.
  
- (ii) Conditions covering the following areas (including re-stated conditions on the existing permission where appropriate and necessary):
  - (a) Duration – limit the duration of the consent to December 2035 (as opposed to 2040 as current);
  - (b) Access and surfacing arrangements – to remain as current;
  - (c) Drainage – submission of scheme to confirm existing drainage arrangements as per condition existing condition 7;
  - (d) Lorry sheeting and routeing – lorries leaving the site to be sheeted and turn right on exiting the site onto Roystone Lane;
  - (e) Number of vehicles – limitations to remain the same, 800 maximum per day (400 In, 400 Out), with current additional control on dry aggregate vehicle movements (240 per day) and night time powders movements (24);
  - (f) Working scheme – as amended in line with the application Phases 1 – 6 inclusive and consistent with application NP/DDD/0715/0619, to allow the phasing programme to be amended to encompass mineral beneath tip 3 (but extraction in this pp limited to within current extraction boundary), and to undertake revised restoration as per proposal;
  - (g) Surveys – requirement to submit annual topographical surveys;
  - (h) Production - levels to remain as per current restriction at 1.1 million tonnes per year, with requirement to maintain records and supply MPA with figures on monthly output and production for the previous year;
  - (i) Depth of working – to remain as current, 160m AOD in Main Quarry and 185m AOD in Woodbarn, to cover all operational phases 1 – 6;
  - (j) Restriction of permitted development rights, as current;

- (k) Processing – no importation of material into the site for processing except for that for use in concrete and asphalt manufacture;
- (l) Hours of working – to remain as currently conditioned; maintain routine hours of 0600–2000 hours Mon–Fri and 0600–1800 hours Sat for operations other than processing, servicing, environmental monitoring, maintenance and testing of plant; no operations for formation and removal of material from any baffle mounds and soil/overburden storage areas formation and subsequent removal of material from any waste tips and waste storage areas to be carried above original ground level at the site except between the 0800-1800 hours Mon – Fri and 0800-1200 hours Sat; no operations for formation and removal of material from any baffle mounds and soil/overburden storage areas formation and subsequent removal of material from any waste tips and waste storage areas to be carried below original ground level at the site except between the 0600-2000 hours Mon – Sat and 0800-1200 hours and 0600-1200 hours Sun; no movement of lorries carrying aggregate except between 0500-1900 Mon to Sat subject to restrictions specified in number of vehicles condition, and excluding powder tankers movements.
- (m) Soil removal and storage - managed in accordance with good practice, as per current condition requirements;
- (n) Fencing – erection and maintenance of stockproof fencing around whole site for duration of the development;
- (o) Safeguarding of Scheduled Monument SM29829 as per existing – no mineral extraction or associated activity, including vehicular movements, within 2m;
- (p) Dust control – update condition to require submission of the Dust Control Scheme which is in operation at present;
- (q) Noise – standard conditions concerning maintenance of plant in accordance with manufacturers advice to continue; update noise level limits with reference to the noise survey forming part of ES, with specific limits for named properties and an overarching 55dB LA<sub>eq(1hr)</sub> for any other noise sensitive property not listed; application of lower night time limit of 42dB LA<sub>eq (1hr)</sub>; submission of noise attenuation scheme to include provision for routine monitoring;
- (r) Blasting – re-state conditions to control blast limits, timing of blasting, need for audible warnings prior to any blasting, regular monitoring and retention of records to be supplied to MPA on request, submission of blast monitoring scheme identifying measures in place to control the effects of blasting at the site, including air overpressure;
- (s) Water protection – continuation of controls concerning storage of oils, fuels and chemicals, no discharge of foul or contaminated water, use of oil interceptor for any surface water drainage from parking areas, hard-standings, etc.;
- (t) Ecology – requirement to erect bat boxes and bird boxes prior to tree clearance works on southern tip (Tip 3); submission of schemes detailing bat and breeding bird mitigation measures to be employed for duration of the development; requirement to submit a Landscape and Ecological Management Plan (incorporating a Habitats Management Plan) to cover the duration of the development;
- (u) Restoration and aftercare – requirement for phased submissions of restoration and aftercare schemes ahead of completion of each phase of the development, in line with overall Restoration Masterplan submitted with the application; requirement for annual restoration and aftercare meetings;

(v) Requirement for submission of a report detailing condition of any listed buildings utilised by operator and a statement/programme detailing how the applicant intends to ensure that they are left in an appropriate condition cognisant to their listed status for future re-use at the end of the development.

(iii) To delegate authority to the Director of Conservation and Planning to agree detailed conditions and wording of the section 106 legal agreement following consultation with the Chair and Vice Chair of the Planning Committee.

**8/15 FULL APPLICATION - CHANGE OF USE OF CAMPING BARN TO AGRICULTURAL WORKERS DWELLING AT BUTTERLANDS BARN, GREENHILL LANE, ALSTONEFIELD**

Cllr David Chapman declared an interest as he knew the applicant.

Members had visited the site on the previous day.

This application was originally considered at the meeting of the Planning Committee in November 2015. Notwithstanding an officer recommendation of refusal, a motion to defer a decision on this application pending a site visit was carried. The resolution for a site visit was made because the second reason for refusal of this application in the original officer report related to the availability of alternative accommodation at the main farmstead.

In accordance with Standing Orders, a motion to continue the meeting beyond three hours was moved, seconded, voted upon and carried.

Following the site visit members felt that there was no alternative but to recommend the item be deferred for consideration of an endangered species surveys with a mind to approve the application.

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

**RESOLVED:**

**That the application be deferred pending the submission of an endangered species survey with a mind to approve the application.**

The meeting adjourned for lunch at 13.10 and reconvened at 13.35

Mr P Ancell

Cllr D Birkinshaw, Cllr C Carr, Cllr D Chapman, Cllr Mrs N Hawkins, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Ms S McGuire, Cllr Mrs K Potter and Cllr Mrs J A Twigg

Cllr Mrs L C Roberts and Cllr A McCloy attended to observe and speak but not vote.

**9/15 FULL APPLICATION - CHANGE OF USE OF BARN/FORMER BLACKSMITH'S WORKSHOP TO DWELLINGHOUSE, THE BARN, BACK LANE, ALSTONEFIELD**

This revised application was originally considered at the meeting of the Planning Committee in November 2015. Notwithstanding an officer recommendation of refusal, a motion resolving to approve this application was moved and seconded, subject to conditions and prior entry in to an appropriate legal agreement with deferral for discussions on the terms of the S106 agreement.

The original recommendation to refuse the application was moved, seconded and voted upon but not carried.

Director of Conservation and Planning suggested two proposals:

1. Section 106 agreement to be signed but not applicable to current occupant, only to future occupants.
2. Open Market conversion approved based on the character landscape of building and lack of landscape harm.

A motion to approve an open market conversion of a valued vernacular merit with no landscape harm was moved and seconded. Permitted development right would be removed. The motion was moved, seconded, put to the vote and carried

#### **RESOLVED:**

##### **Statutory Time Limit**

1. **The development hereby permitted shall be begun within 2 years from the date of this permission.**

##### **Approved Plans**

2. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans (contained in the submitted design and access statement): 'PROPOSED GROUND FLOOR PLAN'; 'PROPOSED FIRST FLOOR PLAN'; 'PROPOSED ROOF PLAN'; 'PROPOSED ELEVATIONS AND SECTIONS'; and 'PROPOSED SITE PLAN'.**

##### **Landscaping**

3. **All hard and soft landscape works shall be carried out in accordance with the approved plans. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme to be submitted and agreed in writing with the National Park Authority.**

##### **Conversion within Existing Shell**

4. **The conversion shall be carried out within the shell of the existing building**

##### **Underground Service Lines**

5. **All new service lines associated with the approved development, and on land with the applicant's ownership and control, shall be placed underground and the ground restored to its original condition thereafter.**

---

### **Disposal of Foul Sewage**

6. **Prior to the first occupation of the dwelling hereby permitted, a scheme for the disposal of foul sewage to a package treatment plant shall be submitted to and approved in writing by the Authority. Thereafter, the package treatment plant shall be installed in complete accordance with the approved plans prior to the first occupation of the dwelling hereby permitted.**

### **Parking and Access**

7. **Prior to the first occupation of the dwelling hereby permitted, a specification or sample of the material to be used for the surfacing of the drive, parking and manoeuvring areas shall be submitted to and approved in writing by the National Park Authority.**
8. **Prior to the first occupation of the dwelling hereby permitted, the access, parking and turning areas shall be completed in accordance with the specifications approved under Condition 7 (above).**

### **Residential Curtilage**

9. **Prior to the first occupation of the dwelling hereby permitted, the curtilage of the converted barn shall be defined with a drystone wall constructed in complete accordance with the approved plans in locally obtained natural stone, and the drystone wall shall be coursed and pointed to match the stonework of the existing boundary walls.**

### **External Lighting**

10. **Unless otherwise agreed in writing by the National Park Authority, there shall be no external lighting and the converted building and associated curtilage shall not be provided with any other external source of illumination at any time during the lifetime of the development hereby approved.**

### **Design Details and Architectural Specifications**

11. **All external windows and doors shall be of timber construction.**
12. **At the time of its installation, the external flue pipe shown on the approved plans shall be painted black.**
13. **All pipework, other than rainwater goods and the external flue pipe shown on the approved plans, shall be completely internal within the building.**
14. **The rainwater goods shall be cast metal, painted 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.**
15. **The roof verges shall be flush cement pointed, with no barge boards or projecting timberwork.**
16. **The roof shall be clad with plain clay tiles to match the existing tiles in**

**terms of size, texture and colour.**

**Permitted Development Rights**

17. **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 converted building shall be carried out and no extensions, porches, sheds, or ancillary outbuildings shall be erected on the site without the National Park Authority's prior written consent.**

**10/15 FULL APPLICATION - CONVERSION OF BARN TO LOCAL NEEDS DWELLING ADJACENT TO THE B5056, WINSTER**

Members had visited the site the previous day.

The following spoke under the Authority's Public Participation Scheme:

- Mr Craig Barks

This application was originally considered at the meeting of the Authority's Planning Committee in October 2015. Notwithstanding an officer recommendation of refusal, a motion for approval of this application was moved and seconded, subject to conditions and prior entry into an appropriate legal agreement. The reasons stated by members in justifying an approval centred on the view that the provision of an appropriate landscaping scheme could mitigate the landscape and visual impact of the proposed development. The proposals were found to be compliant with policies in the Development Plan and policies in the National Planning Policy Framework in all other respects.

The scope for conditions mitigating landscape harm had already been considered by officers and therefore the fact that this scheme was recommended for refusal highlights the fundamental concerns more isolated barns such as this present in terms of the conservation objectives of the National Park. The fact that the objection on landscape grounds was the main and only objection does not diminish the seriousness of that objection given the statutory purposes of national park designation.

Amended plans had been received to include a large wall to conceal cars and waste bins from the view from the road.

A motion to restore the barn subject to a Section 106 agreement governing occupancy was moved, seconded, voted upon and carried.

**RESOLVED:**

**That the application be approved subject to a s.106 legal agreement containing obligations relating to first occupancy, subsequent local occupancy restrictions and affordability, and subject to the following conditions:**

**Statutory Time Limit**

- 1 The development hereby permitted shall be begun within 2 years from the date of this permission.

#### **Approved Plans**

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the following amended plans: Drawing No.s 7021-L-01; 1501-P1A; 1501-P5A;1501-P6B; 1501-P7B; 1501-P8; 1501-P9 and 1501-P10 (received by the National Park Authority on 3 November 2015) and Drawing No.s 1501- P11 and 1501- P11 (received by the National Park Authority on 6 November 2015)

#### **Archaeology**

- 3 No development shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved by the local planning authority in writing, until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured.

The Written Scheme of Investigation shall include an assessment of significance and research questions; and

- (i) the programme and methodology of site investigation and recording;
- (ii) the programme and provision for post-investigation analysis and reporting;
- (iii) provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (iv) provision to be made for archive deposition of the analysis and records of the site investigation; and
- (v) nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation".

#### **Ecology**

- 4 No development shall take place until a scheme of mitigation measures for bats and birds has been submitted to and agreed in writing by the National Park Authority. Thereafter, the mitigation measures shall be carried out in complete accordance with the agreed scheme of mitigation prior to the first occupation of the dwelling hereby permitted.

#### **Landscaping**

- 5 All hard and soft landscape works shall be carried out in accordance with the approved plans. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme to be submitted and agreed in writing with the National Park

---

**Authority.**

**Conversion within Existing Shell**

- 6 The conversion shall be carried out within the shell of the existing building

**Underground Service Lines**

- 7 All new service lines associated with the approved development, and on land with the applicant's ownership and control, shall be placed underground and the ground restored to its original condition thereafter.

**Disposal of Foul Sewage**

- 8 The package treatment plant show on Drawing No. 1501-P1A shall be installed in complete accordance with the approved plans prior to the first occupation of the dwelling hereby permitted.

**Parking and Access**

- 9 Prior to the first occupation of the dwelling hereby permitted, a specification or sample of the material to be used for the surfacing of the drive, parking and manoeuvring areas shall be submitted to and approved in writing by the National Park Authority.
- 10 Prior to the first occupation of the dwelling hereby permitted, the access, parking and turning areas shall be completed in accordance with the specifications approved under Condition 9 (above).

**Residential Curtilage**

- 11 Prior to the first occupation of the dwelling hereby permitted, the curtilage of the converted barn shall be defined with a drystone wall constructed in complete accordance with the approved plans in locally obtained natural stone, and the drystone wall shall be coursed and pointed to match the stonework of the existing boundary walls.

**External Lighting**

- 12 Unless otherwise agreed in writing by the National Park Authority, there shall be no external lighting and the converted building and associated curtilage shall not be provided with any other external source of illumination at any time during the lifetime of the development hereby approved.

**Design Details and Architectural Specifications**

- 13 All external windows and doors shall be of timber construction.
- 14 At the time of its installation, the external flue pipe shown on the approved plans shall be painted black.
- 15 All pipework, other than rainwater goods and the external flue pipe



shown on the approved plans, shall be completely internal within the building.

- 16 The rainwater goods shall be cast metal, painted 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.
- 17 The roof verges shall be flush cement pointed, with no barge boards or projecting timberwork.
- 18 The roof shall be clad with natural blues slates to match the existing slates in terms of size, texture and colour.

#### Permitted Development Rights

- 19 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 converted building shall be carried out and no extensions, porches, sheds, or ancillary outbuildings shall be erected on the site without the National Park Authority's prior written consent.

#### 11/15 FULL APPLICATION - RETROSPECTIVE PLANNING APPLICATION FOR A LEAN-TO AGRICULTURAL BARN FOR SMALL BEEF CATTLE HERD, MIXON MINES FARM, ONECOTE

Officers stated that the proposal related to Mixon Mines not Mixon Mines Farm.

A motion to defer the application pending a site visit was moved, seconded, voted upon and carried.

#### RESOLVED:

That the application be DEFERRED pending a sit visit to consider the landscape impact.

#### 12/15 FULL APPLICATION - PROPOSED CONVERSION OF FORMER HOUSE TO FORM ACCESSIBLE HOLIDAY LET ACCOMMODATION, SMELTERS COTTAGE, HATHERSAGE

The following spoke under the Authority's Public Participation Scheme:

- Heather Rogers – Local Resident - Support
- Mr Brian Ward – Local Historian - Support
- Cllr Bill Gordon (Parish Council) - Support
- Mr Gerry Smith, Smith & Roper Architects – agent

Officers noted the good design of the plans to reconstruct the cottage but due to the large amount of work needed this would be designated a new build rather than restoration.

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

**RESOLVED:**

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

- 1. The application site is in an isolated and unsustainable location in the open countryside. The substantial rebuilding, alteration and extension of the former cottage to create a new dwelling to be occupied as holiday accommodation in this location would have a harmful impact upon the landscape character of the National Park and harm the historic and archaeological significance of the ruins of the former farmstead contrary to Core Strategy policies GSP1, GSP3, RT2, L1 and L3 and saved Local Plan policies LC4 and LC16. The proposed development would represent unsustainable tourism development within the National Park contrary to the Framework.**
- 2. The proposed development would lead to the intensification in use of an existing substandard access to The Dale where exit visibility is severely restricted due to road alignment and the topography of the adjacent land. Approval of the proposed development would therefore be likely to interfere with the safe and efficient movement of vehicular traffic on the adjoining highway, contrary to Core Strategy policy GSP3 and saved Local Plan policy LT18.**

**13/15**

**FULL APPLICATION - DEMOLITION OF FARMHOUSE AND ERECTION OF REPLACEMENT DWELLINGHOUSE; DEMOLITION AND REBUILDING OF STABLES TO FORM ADDITIONAL LIVING ACCOMMODATION; ERECTION OF STABLE BUILDINGS AND GARAGING AT BLEAKLOW FARM, HASSOP**

Consent had been given for demolition and rebuild of farmhouse. A new design had been submitted and work had already begun so permission would be retrospective. The new development was too large and not in keeping with the original dwelling.

Since the report officers have received an objection to the proposal from Rowland Parish Meeting based on the size.

Members raised concerns regarding the delay in detecting the changes to the work taking place. Officers explained that the Authority does not have a building inspector as other Authorities do.

The recommendation for refusal moved, seconded, voted upon and carried.

**RESOLVED:**

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

1. **The proposed replacement dwelling would be significantly larger than the original farmhouse, and would be of an inappropriate design, character, form, massing and detailing that would be more intrusive in the immediate locality when viewed from the adjacent public footpath. Consequently, the current proposal would reflect the character and appearance the original farmhouse and its setting and would not provide the overall enhancement to both the appearance of the original dwelling site and its setting as was achieved in the previously approved scheme in 2014. The proposed scheme would therefore be contrary to Core strategy policies GSP1, GSP2, GSP3 and L1, and Local plan policies LC4 and LH5, as well as guidance in the Framework.**
2. **An appropriate scheme for the replacement farmhouse has previously been approved and, consequently, there is insufficient justification for the increase in its size, form, massing and design changes as now proposed. In the absence of an overriding justification for the proposal as amended, the current proposal would not represent a sustainable pattern of development, and would be contrary to the principles of good design and sustainable development set out in the Authority's Core strategy policies GSP1, GSP3, DS1 and L1, and saved Local plan policies LC4 and LH5, and in national planning policies in the Framework.**
3. **Enforcement action to commence in the New Year.**

Cllr Norma Hawkins and Cllr David Chapman left the room at 15.10.

Cllr Kath Potter left the room for 5 minutes at 15.15

Cllr Harold Laws left the room at 15.25

**14/15 FULL APPLICATION - ERECTION OF STEEL FABRICATION WORKSHOP ON PREVIOUSLY DEVELOPED LAND, PITTMERE LANE, TIDESWELL MOOR, TIDESWELL**

Cllr D Chapman had declared a prejudicial interest and left the room for this item.

The following spoke under the Authority's Public Participation Scheme:

- Cllr Rod Baraona, Tideswell Parish Council – Support
- Ms Bettney – Applicant
- Joe Oldfield – Agent, and shared the 3 minutes speaking allocation with Ms Bettney.

Director of Conservation and Planning stated he had advised the applicant in his previous role in the private sector, left the meeting and took no part in the debate.

Five letters of support have been received since the completion of the report and were summarised for the committee.

A motion to defer the item pending a site visit was moved, seconded, voted upon and carried.

**RESOLVED:**

**That the application be DEFERRED pending a site visit.**

---

**15/15 FULL APPLICATION - DEMOLITION OF EXISTING SHED AND REPLACEMENT WITH SINGLE STOREY OFFICE BLOCK AT MAIN ROAD, HASSOP ROAD, CALVER**

The recommendation to approve subject to a Section 106 agreement was moved, seconded, voted upon and carried.

**RESOLVED:**

That subject to the prior entry into a planning obligation under section 106 to secure the permanent provision of four parking spaces for staff on the car park adjacent to Polly Froggatt Field that the application be approved subject to the following conditions:

1. Statutory time limit for implementation.
2. Development to be carried out in accordance with specified amended plans.
3. No development shall take place until a scheme showing how the site compound, site operatives' vehicles, delivery vehicles and demolition/construction works are likely to affect the adjacent classified road, pedestrian footway, cycle facility and other premises in the vicinity, including locations and traffic management has been submitted to and approved in writing by the Authority. The approved scheme shall be implemented in full and be maintained for the duration of the demolition and construction works.
4. No development shall take place until the dropped vehicular crossing has been removed and the footway re-instated in accordance with a scheme which shall have first been submitted to and approved in writing by the National Park Authority.
5. Prior to the first occupation of the development a scheme for bin storage shall be submitted to and approved in writing by the Authority. The scheme shall be implemented and maintained thorough the lifetime of the development.
6. Conditions to secure architectural details and material specifications including natural limestone walls, gritstone detailing, finish of window and door frames, roof lights and verge details.
7. The building which is the subject of this application, shall be used for offices only and for no other purposes (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**16/15 FULL APPLICATION - CHANGE OF USE OF A SINGLE DWELLING TO PART DWELLING AND PART HOLIDAY LET ACCOMMODATION AT 6 NEW ROAD, EYAM**

The recommendation for approval subject to conditions was moved, seconded, voted upon and carried.

**RESOLVED:**

**That the application be APPROVED subject to the following condition.**

- 1. The development hereby permitted shall be used for holiday accommodation ancillary to 6 New Road, Eyam and for no other purpose, including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended. The holiday accommodation shall not be occupied by any one person for more than 28 days in any calendar year. The existing house known as 6 New Road, Eyam and the holiday accommodation hereby permitted shall be maintained as a single planning unit.**

**The owner shall keep an up-to-date written register of the details of all occupiers of the holiday accommodation hereby permitted, including their names and their main home addresses, and shall make it available for inspection by the local planning authority at all reasonable times.**

**17/15 HEAD OF LAW REPORT**

**RESOLVED:**

**That the report on appeals lodged and decided be received.**

**18/15 LOCAL GOVERNMENT OMBUDSMAN COMPLAINT**

The Chair announced that following a decision at Audit, Resources and Performance Committee on 6 November 2015, a micro scrutiny review panel had been appointed to consider the practicalities and process of consulting on proposals and how the impact of developments on neighbouring properties is judged. The panel would meet on Friday 8 January 2016. Cllr Kath Potter had been invited to speak to the panel as Chair of Rowsley Parish Council.

**RESOLVED: That the report be noted.**

The meeting ended at 3.55 pm