



MINUTES

Meeting: **Planning Committee**

Date: Friday 15 January 2016 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, Mr R Helliwell,
Cllr Mrs C Howe, Cllr H Laws, Cllr Mrs K Potter, Cllr Mrs J A Twigg and
Cllr G Weatherall

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

Apologies for absence: Cllr P Brady, Cllr Mrs N Hawkins, Ms S McGuire, Cllr J Macrae and
Cllr A McCloy.

1/16 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of Planning Committee held on 11 December 2015 were approved as a correct record.

2/16 MEMBERS DECLARATIONS OF INTEREST

Item 8

It was noted that a number of Members had received correspondence from the applicant regarding this application.

Mr R Helliwell, personal as he knew the applicant but had not discussed the application with them.

Cllr Mrs J Twigg, personal, as she knew one of the objectors but had not discussed the application with them.

John Scott, Director of Conservation and Planning, personal, as he had previously worked for the applicant but not on this application

Item 9

Cllr D Chapman, personal prejudicial, as he was a close friend of the applicant he would leave the room during consideration of this item.

John Scott, Director of Conservation and Planning, personal prejudicial, as he had previously worked for the applicant on this proposal. He confirmed that he would leave the room during consideration of this item.

Item 10

John Scott, Director of Conservation and Planning, personal prejudicial, as he had previously worked for the applicant on this proposal. He confirmed that he would leave the room during consideration of this item.

Items 11 and 12

Mr R Helliwell, personal, as he knew the applicant and the agent but had not discussed the application with them.

Item 13

It was noted that Mr P Ancell had received an email from the applicant relating to this application.

Items 14 and 15

It was noted that the Peak District National Park Authority was the applicant for these items.

3/16 PUBLIC PARTICIPATION

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

4/16 OUTLINE APPLICATION - PROPOSED 12 NO. ONE BEDROOM FLATS, ENDCLIFFE COURT, ASHFORD ROAD, BAKEWELL

The Officer recommendation was moved, seconded put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. The current application proposes new housing to meet general demand without supporting the conservation and enhancement objectives of the National Park. Therefore the current application conflicts with core policy HC1 and saved Local Plan policy LH1. Furthermore by failing to address any wider public benefit to the local area or the National Park as a whole, no other material considerations exist in support of national planning policies.**
- 2. In the absence of any exceptional circumstances that warrants the provision of open market housing to meet general demand, and in the absence of any evidence that the proposed housing would positively respond to local housing needs or contribute to the provision of affordable housing within the local area: the proposals do not constitute a sustainable pattern of development and are therefore contrary to the presumption in favour of sustainable development in policy GSP1 of the Core Strategy and national planning policies in the Framework.**

5/16 FULL APPLICATION - RETROSPECTIVE PLANNING APPLICATION FOR A LEAN-TO AGRICULTURAL BARN FOR SMALL BEEF CATTLE HERD, MIXON MINES, ONECOTE

Members had visited the site on the previous day

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

- Ms Sheena Ashbrook, Applicant

Following discussion the Officer recommendation was amended to add the words "the building is suitable for livestock accommodation or" to the reason for refusal 3.

The amended Officer recommendation was moved, seconded put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. By virtue of the siting and design of the building, granting retrospective planning permission for this application would be contrary to saved Local Plan Policy LC13, because the building does not relate well to the existing buildings at Mixon Mines and it is not sited in the least obtrusive location on land in the applicant's control.**
- 2. By virtue of the siting and design of the building and its landscaping, including recent engineering works and planting of species not in keeping with the character of the local area, the retention of the building would have an unduly harmful visual impact on the character of the surrounding landscape and would detract from the remaining significance of the former mine workings on the site. Therefore, retention of the building would be contrary to policies saved Local Plan policy LC4, contrary to policies GSP1, GSP2, GSP3, L1 and L3 of the Core Strategy, and contrary to national planning policies in the Framework.**
- 3. In the absence of an agricultural appraisal to support this application, and in the absence of a business plan that demonstrates the building is suitable for livestock accommodation or that the applicant's stated intentions of keeping a beef herd on the land are reasonably likely to happen, it cannot be demonstrated that the benefits of approving this application would outweigh or offset the identified and demonstrable harm to the valued characteristics of the National Park that would result from the retention of the building. Therefore, retention of the building would be contrary to the principles of sustainable development set out in national planning policies in the Framework and policy GSP1 of the Authority's Core Strategy.**

6/16 LISTED BUILDING APPLICATION - ALTERATIONS TO KITCHEN AND TOILET AREA OF THE LISTED WING OF ALDERN HOUSE, PEAK DISTRICT NATIONAL PARK AUTHORITY, ALDERN HOUSE, BASLOW ROAD, BAKEWELL

The Officer recommendation was moved, seconded put to the vote and carried.

RESOLVED:

To **APPROVE** the application subject to the following conditions or modifications.

1. **Statutory three year time limit.**
2. **The works shall not be carried out other than in complete accordance with the submitted plans and the additional specifications submitted on 21 December 2015.**

The meeting was adjourned from 10:45am to 10:50am following consideration of this item.

7/16 FULL APPLICATION - PROPOSED USE AS A SINGLE DWELLING, NORTH LEES HALL, HATHERSAGE

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

- Rebekah Newman, on behalf of the Applicant

The Officer recommendation was moved, seconded put to the vote and carried.

RESOLVED:

To **APPROVE** the application subject to the following conditions:

1. **Statutory three year time limit for implementation.**
2. **Development to be carried out in accordance with submitted plans.**

8/16 FULL APPLICATION - USE OF LAND AND BUILDINGS FOR THE HOSTING OF WEDDINGS/FUNCTIONS (8 PER ANNUM) AND THE INSTALLATION OF TWO ACOUSTIC SCREENS TO PAVILION BUILDING AND EXTERNAL STEPS AT BROOKFIELD MANOR, HATHERSAGE

Members had visited the site on the previous day

In introducing the report the Officer amended conditions 4, 5, 6, 11, 12, 14 and 18 in the recommendation to reflect representations made on the proposals and discussions with the applicant.

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

- Mr James Summerlin, Objector (representing local residents)
- Ms Lesley Edmunds, Objector
- Derek Latham, Agent

The amended Officer recommendation was moved, seconded put to the vote and carried.

RESOLVED:

To **APPROVE** the application subject to the following conditions/modifications.

1. **Temporary three year planning permission.**
2. **Development to be carried out in complete accordance with specified approved plans and the submitted noise and arrival and departure protocols subject to the following conditions or modifications.**
3. **Use to be limited to weddings or functions ancillary to Brookfield Manor and for no other purposes. The existing dwelling and the buildings and land subject to this application shall be maintained as a single planning unit.**

The owner shall maintain a register of wedding / function bookings (including the planned date, start time and estimated number of guests) for each calendar year which shall be made available for inspection by the Authority on request.

4. **The use hereby approved to host weddings and/or functions shall not take place on more than eight occasions in any one calendar year. No more than one wedding shall take place in any five day period.**
5. **The rating level of the noise emitted from the site shall not exceed the existing background noise level [determined to be 32dB(A)LA90] by more than 5 dB(A) at any time. The noise levels shall be determined at the closest point, in a free field position, adjacent to the nearest dwelling house at Cow Close Farm, Hathersage which exists at the date of this planning permission.**
6. **Amplified music (including from any pre-recorded or live performance or amplified speeches) shall only be played through the 'Zone Array' system within appendix B of the submitted noise management protocol dated 8th October 2015.**
7. **No amplified music shall be played outside of the pavilion building at any time.**
8. **No amplified music shall be played after 00:00 (midnight the day following the start of the wedding or function).**
9. **No acoustic music shall be played after 18:00 hours.**
10. **The hours of operation for any wedding / function (including the departure of all guests) shall be limited to between the hours of 08:00 - 00:30 the following day. All staff shall leave by no later than 01:00 the following day.**
11. **The hours of operation for setting up before / clearing up after any wedding / function (including clearing up and disposing of any waste following an event) shall be limited to between the hours of 08:00 - 20:00 hours Monday – Friday; 10:00 – 17:00 on Saturdays, Sundays and Bank Holidays.**
12. **The hours of operation for erecting and dismantling any marquee shall be limited to between the hours of 09:00 – 17:00 hours Monday – Friday; 10:00 – 16:00 on Saturdays, Sundays and on Bank Holidays.**
13. **No marquee shall be erected other than in complete accordance with the specified approved plans.**

14. **No marquees shall be erected more than three days prior to an event and all marquees shall be fully dismantled and removed from the site within three days of the end of an event unless the next scheduled event is within seven days from the preceding event.**
15. **The total number of guests (not including staff) shall not exceed 130 at any time.**
16. **No wedding or function shall take place until the acoustic screens shown on the specified approved plan have been installed. The acoustic screens shall thereafter be maintained throughout the lifetime of the development hereby approved.**
17. **No planning permission is granted for the air cooling units shown on the specified approved plan which shall be omitted from the scheme.**
18. **No vehicles shall be parked other than in accordance with the submitted amended plans showing the proposed pavilion and curtilage car parks. No more than 16 vehicles shall be parked on the pavilion car park after 20:00. No vehicles shall be parked on the pavilion car park after 22:00.**
19. **No weddings / functions shall take place until a scheme of signage to identify the pavilion car park, curtilage car park and the proposed pick-up point has been erected in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the National Park Authority. The signage shall be then be erected in accordance with the approved scheme and maintained throughout the lifetime of the development.**
20. **No weddings / functions shall take place until a scheme of lighting has been carried out in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the National Park Authority. The lighting scheme shall be then be carried out in accordance with the approved scheme and maintained throughout the lifetime of the development.**
21. **There shall be no firework, airborne lantern or similar displays associated with the use hereby approved carried out on site or on land within the applicant's control.**

9/16 FULL APPLICATION - ERECTION OF STEEL FABRICATION WORKSHOP ON PREVIOUSLY DEVELOPED LAND, PITTLEMER LANE, TIDSWELL MOOR, TIDSWELL

Cllr D Chapman declared a personal prejudicial interest in this application and left the room, as he was a close friend of the applicant.

John Scott, Director of Conservation and Planning declared a personal prejudicial interest in this application and left the room as he had previously worked for the applicant on this proposal.

Members had visited the site on the previous day.

It was noted that since the report had been written a further 7 letters of support had been received and the applicant's agent had provided a list of the other premises which had been explored before progressing these proposals

A motion to approve the application subject to conditions was moved seconded and supported by Committee Members. As approval of the application would be a departure from policy and the Officer recommendation in accordance with Standing Order 1.48 final determination of the matter was deferred to the next meeting of the Committee. In supporting the proposals Members noted the socio-economic benefit in supporting a local business to return to the Tideswell area and suggested that the proposed development would represent enhancement of the site by bringing the site back into use and improving the visual appearance of the site which would have a positive impact on the landscape.

RESOLVED:

To DEFER consideration of the application in accordance with Standing Order 1.48 as the Committee were minded to approve the application contrary to Authority Policy and the Officer recommendation.

Cllr D Chapman rejoined the meeting.

10/16 FULL APPLICATION - EXTENSIONS TO FACTORY BUILDING AND NEW CAR PARK, CARBOLITE, ASTON, HOPE

Members had visited the site on the previous day.

It was noted that while the Derbyshire County Council Flood Risk Management Team had no further comments on the proposal and suggest that a footnote be added to draw the developers attention to the relevant sections of the Teams Standing Advice on flooding. It was also noted that one additional letter of objection had been received raising issues already covered in the report relating to the new building, increased noise levels and removed screening.

It was noted that as Network Rail had submitted a holding objection any decision would be subject to the Director of Conservation and Planning taking into account any issues raised.

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

- Lewis Evans, Agent

The amended Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject the Director of Conservation and Planning being authorised to take into account any representations made by Network Rail after consultation with the Chair and Vice-Chair of the Committee, a footnote on taking into account Environment Agency Advice on flooding, and the following conditions:

- 1. Statutory time limit**

2. **Completion in accordance with the submitted plans**
3. **Prior to the commencement of the construction of the factory extension, the new car park shall be constructed and made available for use.**
4. **The walls and roof of the building shall be clad to match the existing in terms of materials. Colour for the metal sheeting to be agreed prior to commencement**
5. **Projected noise assessment and proposed mitigation agreed prior to commencement**
6. **All external lighting to be agreed prior to commencement**
7. **Detailed design of car park barrier to be agreed prior to commencement**
8. **Details of space to be provided for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, and temporary replacement parking for existing employees to be agreed prior to commencement**
9. **Extended premises not to be taken in to use until onsite parking has been provided**
10. **Construction Management Plan to be agreed prior to commencement**
11. **Surface water attenuation tank with flow control to be installed in accordance with the recommendations of the Flood Risk Assessment prior to the extended premises being taken in to use**
12. **Landscaping scheme to be agreed prior to commencement**
13. **No removal of vegetation that may be used by breeding birds shall take place between 1st March and 31st August**
14. **Installation of two swift boxes and two bat boxes prior to commencement**

Footnote

Reference to DCC Flood Risk Management Team Standing Advice on flooding.

Cllr H Laws left the meeting at 12.15pm during consideration of this item. He returned at 12.35pm.

John Scott, Director of Conservation and Planning, rejoined the meeting during consideration of the next item.

11/16 FULL APPLICATION - RETROSPECTIVE PLANNING APPLICATION FOR FIELD SHELTER ON LAND AT FRIDEN COTTAGES, FRIDEN

The Officer recommendation to refuse was moved, seconded put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. By virtue of the siting and design of the existing structure, granting retrospective planning permission for this application would be contrary to saved Local Plan Policy LC13, because the building does not relate well to any existing agricultural buildings, it is not sited in the least damaging location on land within the applicant's control, and the design and external appearance of the existing structure is not typical of modern farm buildings. Taken together, these factors mean that the retention of the building would also have an unacceptable adverse visual impact on the character of the surrounding landscape and harm the valued characteristics of the National Park contrary to policies GSP1, GSP2, GSP3 and L1 of the Core Strategy, Local Plan policy LC4, and contrary to national planning policies in the Framework.**
- 2. By virtue of its siting and the intervening distances between the proposed building and the nearest residential properties, it is considered that the proposed use of the building to accommodate livestock building would be unneighbourly and detract from the living conditions of nearby residents. Therefore, the application does not comply with saved Local Plan policy LC4, policy GSP3 of the Core Strategy and core planning principles in the Framework, which seek to safeguard the residential amenities of properties affected by development proposals.**
- 3. In the absence of an agricultural appraisal to support this application it cannot be demonstrated that the benefits of approving this application would outweigh or offset the identified and demonstrable harm to the valued characteristics of the National Park that would result from the retention of the structure. Therefore, granting retrospective planning permission for this application would be contrary to the principles of sustainable development set out in national planning policies in the Framework and policy GSP1 of the Authority's Core Strategy.**

The meeting adjourned for lunch at 12.40pm and reconvened at 1.20pm.

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr C Carr, Cllr D Chapman, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Cllr Mrs K Potter, Cllr Mrs J A Twigg and Cllr G Weatherall

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

Apologies for absence: Cllr P Brady, Cllr Mrs N Hawkins, Ms S McGuire, Cllr J Macrae and Cllr A McCloy.

12/16 MONITORING & ENFORCEMENT QUARTERLY REVIEW - JANUARY 2016

RESOLVED:

To note the report.

13/16 LISTED BUILDING CONSENT - CONVERSION OF BARN TO RESIDENTIAL DWELLING AT HIGHLOW FARM HOUSE, HIGHLOW, HATHERSAGE

Members had visited the site on the previous day

RESOLVED:

To DEFER consideration of the application for further information and a response from Historic England.

14/16 FULL APPLICATION - CONVERSION OF BARN TO RESIDENTIAL DWELLING AT HIGHLOW FARM HOUSE, HIGHLOW, HATHERSAGE

Members had visited the site on the previous day

RESOLVED:

To DEFER consideration of the application for further information and a response from Historic England.

15/16 FULL APPLICATION - DEVELOPMENT OF SINGLE SUBTERRANEAN 'ECO HOUSE' SELF-BUILT DWELLING FOR EXISTING LOCAL RESIDENTS, ASSOCIATED ACCESS AND EXTENSIVE SOFT LANDSCAPING SCHEME TO PROVIDE ECOLOGICAL, ENVIRONMENTAL, LANDSCAPE AND SCENIC ENHANCEMENT AT LAND ADJACENT THE OLD VICARAGE, HEADS LANE, BOLSTERSTONE

Cllr G Weatherall reported that as he had received representations from the agent and spoken to him about the proposals he would not participate in discussion or voting on this application. The following spoke under the Authority's Public Participation Scheme:

- Mr David Rogers, Supporter
- Frank Milnes, Supporter
- Mr Charles Dunn, Agent

The Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. The application site is located in the open countryside within the National Park. The Authority's Core Strategy takes forward the policy approach that it is not appropriate to permit new housing simply in response to the significant market demand to live in its sought after environment. In common with the National Planning Policy Framework, the Authority's policies therefore do not make provision for housing other than in exceptional circumstances which in the open countryside would be where housing provides for key rural workers or where housing is required to achieve conservation or enhancement of valued vernacular or listed buildings.**
- 2. The proposed dwelling would not be required to meet the essential functional need of an agricultural, forestry or other rural enterprise. Therefore any approval of the proposed development would represent**

unsustainable development which would have a harmful impact upon the valued characteristics of the National Park contrary to Core Strategy policies DS1, CC1 and HC1, saved Local Plan policies LH1 and LH2 and the National Planning Policy Framework.

3. The application site is identified as important open green space within the Bolsterstone Extension Conservation Area Appraisal (2009). The proposed dwelling would have a harmful impact upon the amenities of the local area and would harm the significance of the designated Bolsterstone Conservation Area contrary to Core Strategy policies GSP1, GSP3 and L3, saved Local Plan policies LC4, LC5 and the National Planning Policy Framework.

Cllr G Weatherall left the meeting at 2.05pm following consideration of this item.

16/16 FULL APPLICATION - EXTENSION AND OVERCLADDING OF EXISTING UTILITY ROOM TO THE SIDE, INCLUDING A NEW PITCHED ROOF AND WALLING IN TIMBER AT PINFOLD CROFT, PINFOLD HILL, CURBAR

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

- Cllr David Nicholson, Chair of Curbar Parish Council, Objector
- Mrs Viv Poole, Objector
- Mr Simon Gedye, Agent

Subject to an amendment requiring the external facing material to match the existing finish or be natural stone, the Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

1. Statutory 3 year time limit for implementation.
2. Development not to be carried out otherwise than in accordance with specified amended plans subject to the external walls of the extension being clad with artificial stone to match the existing dwelling or natural stone.
3. Concrete tiles to match the existing dwelling, glass to the rear roof.
4. Roof light to be set flush with roof slope.

17/16 FULL APPLICATION - EXTENSIONS AND ALTERATIONS TO EXISTING DWELLING AT 2 BOOTHS EDGE COTTAGES, SHEFFIELD ROAD, HATHERSAGE

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

- Mr Cliff Underwood, Objector
- Mr Barratt, Objector and Neighbour
- Mr Vernon Atkins, Objector
- Mr Mark Bailey, Agent

A motion to defer consideration of the application for a site visit was moved, seconded put to the vote and carried.

RESOLVED:

To DEFER consideration of the application to allow the Committee to visit the application site.

18/16 HEAD OF LAW - PLANNING APPEALS

RESOLVED:

To note the report on appeals lodged and decided.

The meeting ended at 3.10 pm