

---

## MINUTES

Meeting: **Planning Committee**

Date: Friday 15 June 2018 at 10.00 am

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

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr Mike Chaplin,  
Cllr D Chapman, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws,  
Cllr J Macrae, Cllr Mrs K Potter and Cllr Mrs L C Roberts

Cllr A McCloy  
attended to observe and speak but not vote.

Apologies for absence: Cllr A Hart.

### **62/18 CHAIRS ANNOUNCEMENTS**

The Chair welcomed Cllr Mike Chaplin to Planning Committee as a new Member of the Authority.

### **63/18 MINUTES OF PREVIOUS MEETING HELD ON**

The minutes of the last meeting of the Planning Committee held on the 11 May 2018 were approved as a correct record subject to the following amendments to:

Minute 55/18 Although Members were happy to look at alternative options, they were still prepared to look at the particular site in question.

Minute 56/18 the word Pilhough was included twice in the heading and was spelt incorrectly.

### **64/18 URGENT BUSINESS**

There were no items of urgent business to consider.

### **65/18 MEMBERS DECLARATIONS OF INTEREST**

Item 10

Cllr David Chapman declared a personal interest as he knew the applicant.

Item 11

Cllr Chris Carr declared a personal interest as he knew the applicant

Item 12

Paul Ancell had received an email from the adjacent property owner.

Cllr Kath Potter declared that she attended Bakewell Town Council Meeting, but left before any planning issues were discussed.

It was noted that all Members knew Cllr Judith Twigg as a former Member of the Authority.

Item 14

Cllr David Chapman declared a personal interest as he knew the applicant.

Robert Helliwell declared a personal interest as he knew the applicant.

**66/18 PUBLIC PARTICIPATION**

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

**67/18 HABITAT REGULATIONS ASSESSMENT IN RELATION TO RETROSPECTIVE PLANNING CONSENT ON MIDHOPE MOOR TO RESTORE AND REPAIR PREVIOUSLY DAMAGED ACCESS ROUTE TO INCLUDE THE LAYING OF PLASTIC ACCESS MESH TO FACILITATE VEHICULAR ACCESS. OPEN MOORLAND SITE, SPLIT BY THE CUT GATE PATH AND CROSSING MICKLEDEN BECK ON MIDHOPE MOOR**

The Officer informed Members of an amendment to the conclusion and recommendations 2 & 3 of the recommendation in the report.

The conclusion should include the addition of the work 'temporary' on line 2. The following wording should be inserted at the end: 'In the event of a grant of permission for the development in the manner proposed on a permanent basis, there is a likelihood of harm to the SPA and SAC which cannot be mitigated and therefore a Habitat Regulations Assessment would be required prior to the grant of permission.'

Point 2 should now read after the words European designated site " but can be controlled by condition, including that it be for a limited time".

Point 3 should read after the words LC17 "on this basis the application is recommended for refusal. If this Authority is minded to grant permission on a permanent basis, this is likely to have a significant impact on the SPA and SAC and the special qualities for

which they are designated. In this event, the application would need to be subject to an HRA assessment”

The officer then went on to introduce the report and explain to Members that the Habitat Regulation Assessment was a piece of legislation which required the Authority, to make an assessment, about whether the proposal would have the potential to have a significant impact on a European Designation Site in this case a SPA and SAC.

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

**RESOLVED:**

1. **That this report be adopted as the Authority’s Habitat Regulations Assessment in relation to the proposed development in relation to application NP/S/1217/1304.**
2. **It is determined that restoration and repair of previously damaged access route including the laying of plastic access mesh to facilitate vehicular access to the open moorland site, Midhope Moor has potential to have a significant effect on the integrity of a European designated site but can be controlled by condition including that it be for a limited time period. Thus, approval of application NP/S/1217/1304, 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(as amended) (the ‘Habitats Regulations’) and the EU Habitats Directive and an Appropriate Assessment is not considered necessary.**
3. **Harm to the moorland ecology and habitat along the length of the application site from the initial installation of the matting and associated groundworks coupled with the damage caused subsequently from the increased vehicle use of the route contrary to policies L2 and LC17, on this basis the application is recommended for refusal. If this Authority is minded to grant permission on a permanent basis, this is likely to have a significant impact on the SPA and SAC and the special qualities for which they are designated. In this event, the application would need to be subject to an HRA assessment.**

**68/18 FULL APPLICATION - RETROSPECTIVE PLANNING CONSENT ON MIDHOPE MOOR TO RESTORE AND REPAIR PREVIOUSLY DAMAGED ACCESS ROUTE TO INCLUDE LAYING OF PLASTIC ACCESS MESH TO FACILITATE VEHICULAR ACCESS. OPEN MOORLAND SITE, SPLIT BY THE CUT GATE PATH AND CROSSING MICKLEDEN BECK ON MIDHOPE MOOR**

The Officer introduced the report and informed Members that this was a retrospective planning application. The original track was laid in 2014 and recently overlaid with a green plastic reinforcement matting, secured with metal pins. The purpose of the track was to allow vehicular access for moorland restoration.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Milo Milinkovic, Objector
- Mr Richard Howson, Agent

Members were unclear as to why the track was needed as there were other methods of access which could be used without causing visual harm to the landscape.

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

**RESOLVED:**

**To REFUSE the application for the following reasons:**

- 1. The justification for the access matting advanced in the applicants supporting statement does not amount to exceptional circumstances to warrant development in the Natural Zone. The proposal is therefore unacceptable in principle and contrary to policies L1, LC1, GSP1-3 and paragraph 115 and 118 of the NPPF.**
- 2. The adverse visual impact of the matting itself and the consequent changes to the vegetation along its length arising from its installation significantly harms the valued character and appearance of the moorland landscape contrary to policies L1, LC4, GSP1-3 and NPPF paragraphs 115 and 118.**
- 3. Harm to the moorland ecology and habitat along the length of the application site from the initial installation of the matting and associated groundworks coupled with the damage caused subsequently from the increased vehicle use of the route contrary to policies L2 and LC17.**

69/18

**HABITAT REGULATIONS ASSESSMENT IN RELATION TO A PLANNING APPLICATION CODE NO: NP/DDD/0815/0780 WHICH SEEKS TO AMEND OR REMOVE PLANNING CONDITIONS 2 (DURATION), 3 (OPERATING PROGRAMME), 5 (AREAS OF WORKING), 15 - 16 (UNDERGROUND WORKING), 19 (MINERAL EXTRACTION AREAS), 39 - 41 (SOIL REMOVAL AND STORAGE), 45 - 46 (PROCESSING), 69 (ARCHAEOLOGY), 74 - 75 (ECOLOGY AND WILDLIFE), 77 (RESTORATION OF DEEP RAKE AND THE BEECHES), 78 (RESTORATION SCHEME FOR BOW RAKE/HIGH RAKE), 80 (DATE FOR SCHEME FOR REINSTATEMENT OF WATERSAW MINE COMPOUND) AND 85 (DATE FOR REMOVAL OF ALL PLANT AND STRUCTURES FROM SITE) OF PLANNING PERMISSION NP/DDD/0804/0947: EXTEND THE PERIOD OF RESTORATION OF THE REMAINING OPENCAST WORKINGS BY 20 YEARS TO NOVEMBER 2035, AMEND THE FINAL RESTORATION LEVELS OF BOW RAKE/HIGH RAKE AND ALLOW THE CONTINUATION OF UNDERGROUND MINING AT WATERSAW MINE OVER THE SAME PERIOD, LONGSTONE EDGE WEST**

The Officer confirmed that Members had received 2 slightly amended reports, with minor alterations including an additional appendix on the Habitat Regulations Report. The Officer then went on to introduce the report and explained that the development had a potential to have an impact on and SAC at Combs Dale, but because of the nature of the development, the Authority is able to screen out the development whether or not permission is granted, so the proposal is then unlikely to have an impact on the SAC.

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

**RESOLVED:**

1. **That this report, and its appendices, be adopted as the Authority's Habitat Regulations Assessment in relation to the proposed development at Longstone Edge West, as defined in planning application NP/DDD/0815/0780.**
2. **It is determined that continued restoration of Bow Rake-High Rake and resumption of underground working at Watersaw Mine in accordance with the proposed scheme of working is unlikely to have a significant effect on the integrity of a European designated site. Thus, approval of application NP/DDD/0815/0780, 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 (as amended) (the 'Habitats Regulations') and the EU Habitats Directive and an Appropriate Assessment is not considered necessary.**

70/18

**SECTION 73 APPLICATION WITH ENVIRONMENTAL STATEMENT TO AMEND OR REMOVE PLANNING CONDITIONS 2 (DURATION), 3 (OPERATING PROGRAMME), 5 (AREAS OF WORKING), 15 - 16 (UNDERGROUND WORKING), 19 (MINERAL EXTRACTION AREAS), 39 - 41 (SOIL REMOVAL AND STORAGE), 45 - 46 (PROCESSING), 69 (ARCHAEOLOGY), 74 - 75 (ECOLOGY AND WILDLIFE), 77 (RESTORATION OF DEEP RAKE AND THE BEECHES), 78 (RESTORATION SCHEME FOR BOW RAKE/HIGH RAKE), 80 (DATE FOR SCHEME FOR REINSTATEMENT OF WATERSAW MINE COMPOUND) AND 85 (DATE FOR REMOVAL OF ALL PLANT AND STRUCTURES FROM SITE) OF PLANNING PERMISSION NP/DDD/0804/0947: EXTEND THE PERIOD OF RESTORATION OF THE REMAINING OPENCAST WORKINGS BY 20 YEARS TO NOVEMBER 2035, AMEND THE FINAL RESTORATION LEVELS OF BOWRAKE/HIGH RAKE AND ALLOW THE CONTINUATION OF UNDERGROUND MINING AT WATERSAW MINE OVER THE SAME PERIOD, LONGSTONE EDGE WEST.**

The Officer introduced the report.

Restoration works were due to be completed by 2015 but for various reasons this did not happen, so the applicant was asking to extend the period of restoration for a further 20 years to November 2035, to restore the Bow Rake/High Rake areas of Longstone Moor to limestone heath, and to allow the continuation of underground mining at Watersaw Mine for the same period.

Members raised concern over the 20 years asked for, and the effect it would have on the local communities, but were satisfied that there was no other option because of the rate at which infill material is produced by Cavendish Mill.

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

**RESOLVED:**

**That the application Code No: NP/DDD/0815/0780 be APPROVED subject to:**

- 1. The prior completion of a Section 106 legal agreement whereby the applicant and all those with an interest in the application site formally agree to:**
  - (i) to procure, provide and maintain a restoration bond: retention and continuation of a restoration bond to the value of £400,000 (index linked);**
  - (ii) the restoration bond to be set out in accordance with a specified schedule included in the agreement;**
  - (iii) the development to be carried out only in accordance with this new planning permission;**
  - (iv) in the event of default of any party in carrying out restoration/aftercare works, to permit the MPA or its appointed contractors to enter the land and the tailings structures to complete the works and access material to do this if necessary;**
  - (v) to set up a programme of water sampling from Sallet Hole Mine adit and nearby springs north of the application site within the Coombs Dale SSSI, for the duration of the restoration to formally assess flow rates and turbidity; and to undertake additional water quality monitoring should an increase in turbidity be identified;**
  - (vi) the provision of a series of interim restoration schemes (plans) for years 2, 4, 8, 10, 12, 14 and 16 the interim schemes to include a number of different profiles to account for the possible range in void space to be restored, dependent upon when the clause might have been triggered during the course of the planning permission, ;(with provision to submit for approval at a later date amendments to the plans to have regard to the progress in the restoration at that time) in the event of financial issues preventing completion of the approved restoration works;**
  - (vii) if either there is (a) early cessation of working or (b) if the company fail to procure or maintain in force a restoration bond, then to undertake the Restoration and Aftercare works in accordance with a predetermined set of interim restoration schemes;**
  - (viii) the relinquishment / revocation of the old planning permissions as follows:**
    - a) the revocation of planning permission Code No: NP/DDD/0804/0947 [for non-compliance with condition 3 of permission NP/DDD/1100/0473 (Consolidating application for the opencast and underground extraction of vein mineralisation, including crushing and sale of limestone, import of processed mineral waste tailings for restoration, surrender of consented area, variation of conditions and small extension area) to read: Unless otherwise agreed in writing by the Mineral Planning Authority (MPA) or subsequently amended by the requirements of the conditions of this consent, the working, stockpiling, tipping, restoration and**

aftercare of the site shall be carried out only in accordance with the working and phasing plans and the accompanying details submitted in application NP/DDD/1100/473, except as subsequently amended by the working and phasing plans and accompanying details submitted in application NP/DDD/0804/0947, and by the conditions attached to permission NP/DDD/0804/0947 for the extension of Arthurton West. In order to facilitate restoration of the extension with stone overburden from Bow Rake/High Rake and to secure the early restoration of Arthurton West with limestone overburden exported from the extension site, Longstone Edge] without compensation;

b) the revocation of planning permission Code No: NP/DDD/0805/0818 for surface facilities for Watersaw Mine and maintenance depot for Longstone Edge opencut operations, Sallet Hole No 2 Mine, Watersaw Compound, Longstone Moor without compensation;

c) no compensation to be sought for deemed revocation of the existing planning permissions.

## 2. Conditions covering the following matters:

- **Commencement – development to commence within three years from the date of permission.**
- **Duration – restoration of Bow Rake/High Rake, complete cessation of underground mineral extraction in Watersaw Mine and restoration of the mine compound and Longstone Moor by 30 Nov 2035.**
- **Operating programme – in accordance with submitted details.**
- **No opencast extraction, strictly limited to underground extraction only.**
- **Submission of annual surveys, volumetric analyses and annual statements summarising works undertaken in last 12 months and detailed programme of works for following 12 months.**
- **Underground programme of working / timetable and phasing, of underground extraction; details to be submitted in advance of any resumption of underground working.**
- **Advance notice of commencement of phases of underground working.**
- **Mine surface subsidence – methodology for pre-determination and detailed measures to minimise surface collapse, proposals to remediate any collapses including infilling and restoration of any collapse features that occur, and habitat re-establishment and aftercare on the restored ground - details to be submitted in advance of any resumption of underground works.**
- **Protection of Longstone Moor SSSI from surface subsidence, and in the event of surface subsidence in the offshoot veins of Watersaw Rake within the SSSI, underground operations to cease pending approval (in consultation with Natural England) and implementation of a scheme for remedial work (per the above bullet point) and variation to the mining method / working scheme to avoid further subsidence.**

- **Archaeology – imposition of existing conditions modified as appropriate, and submission for prior approval of a full appraisal of the effects of the development on cultural heritage and archaeological interests, to include: detailed plans of the mineral veins to be worked; the fenced buffer zone to be applied at surface; the location of the adjoining SSSI and features of designated and non-designated archaeological interest; detailed methodology of underground extraction including underground backfilling and identification of buffer zones to be applied around features of archaeological/ landscape/ botanical importance; re-appraisal of the stand-off to be applied to the Bowl Barrow Scheduled Monument (in consultation with Historic England); and Implementation of the approved Programme of Archaeological work in accordance with a Written Scheme of Investigation – all prior to any resumption of underground working.**
- **Output and assay analyses of underground mineral (in the event that Watersaw Mine recommences).**
- **Geological and geotechnical reporting, including regular reporting of condition of RUPP adjacent to Bow Rake/High Rake and annual submissions of geotechnical reports for Watersaw should underground operations re-commence.**
- **Site access, visibility splays and lorry routing as per submitted details.**
- **Watersaw Mine: no mining activity to take place until a Transport Management Plan or method statement has been submitted and approved in consultation with the Local Highway Authority. The approved plan/statement shall be adhered to throughout the mining period and shall include a programme of pre-commencement and regular surveys of affected public highways, including Rights of Way, and any necessary remedial works that may be required as a direct result of the mining activity traffic, routes for mining activity traffic, method of prevention of debris being carried onto the highway, pedestrian/ cyclist/ equestrian protection, proposed temporary traffic restrictions and arrangements for turning vehicles.**
- **Surfacing and parking areas.**
- **No equipment, plant or vehicles to be stored/parked in the Watersaw Mine compound other than those used in carrying out the approved development.**
- **No vehicles, plant or equipment with a height exceeding 6.5m to be stored within the Watersaw Mine compound.**
- **Drainage control / control of the rate of surface water from the site.**
- **No discharge of foul or contaminated surface water or trade effluent.**
- **Vehicle maintenance only on impermeable areas.**
- **Control of storage of oils, fuels, chemicals.**
- **Vehicle cleaning.**

- 
- **Numbers and timing of vehicles limitation – maintain existing limits of 154 (77 in / 77 Out).**
  - **Limitation on vehicle numbers carrying secondary limestone arising from Watersaw Mine (should underground mining recommence).**
  - **Maintenance in good condition of traffic warning signs for users of the PROW network and haulage operatives for the duration of the development.**
  - **Lorry sheeting (control of dust) in the event of any limestone being removed from within Watersaw mine.**
  - **Restriction of permitted development rights.**
  - **Interim restoration scheme for the Watersaw mine compound providing for the implementation of works at an early stage of the development, to include identification of redundant buildings / plant to be removed (clarifying those which need to remain) and interim measures to reduce visual impact.**
  - **Scheme for control and maintenance of external appearance of buildings/plant, including within the Watersaw Mine compound, maintenance of Goosewing Grey colour on external surfaces of retained mine buildings, and replacement cladding/sheeting as necessary .Hours of working – maintain as per existing permission.**
  - **Soil management – identify any existing soil resources across site.**
  - **Waste for restoration limited to tailings arising from Cavendish Mill processing plant or host limestone rock from Bow Rake/High Rake.**
  - **No mineral processing on site.**
  - **No retailing.**
  - **No floodlighting.**
  - **Fencing.**
  - **Implementation of an approved dust emissions monitoring scheme to include the number and location of dust monitoring gauge points, frequency of monitoring and presentation of results, and dust deposit threshold monitoring .Dust management / mitigation measures to reduce dust generation, including provision and use of water bowsers, the EHO requirements to dampen down internal site roads and storage heaps, and response measures if dust deposition exceeds defined trigger levels including if necessary temporary cessation of operations.**
  - **Noise levels per existing consent except that a lower limit of 42 dB be imposed between the hours of 22:00 and 06:00 hours and an appropriate night time limit in connection with Watersaw operations should they resume.**
  - **Noise minimisation measures to include (inter-alia)use of silencers, restriction of reversing beepers, regular maintenance of plant and**

**machinery (including bearings lubrication and integrity of silencers), operatives to avoid misuse of equipment and tools and be sensitive to the proximity of dwellings, avoidance where practicable of two or more noisy operations undertaken simultaneously in close proximity to the same sensitive receptor(s), adherence to working hours, avoid revving of engines, engines not to be left idle, switching off plant when not in use.**

- **Blasting – limited to underground operations only, or restoration blasting. Blast monitoring scheme for underground extraction and restoration blasting including blast monitoring locations, frequency of monitoring, equipment to be used and procedures to be adopted if vibration exceeds the limits imposed.**
- **Existing controls on blasting times and audible warnings.**
- **Protection of surface and ground water, safe storage fuels, oils etc.**
- **Visual impact – limitations on mobile plant parking.**
- **Safeguarding of Scheduled Monument No. NHLE No. 1,010,801 with buffer zone.**
- **Notification of geological/speleological interest.**
- **No underground working beneath Longstone Moor SSSI without prior notification to, and approval in advance from, the MPA in conjunction with Natural England.**
- **A Wildlife Mitigation Scheme for measures to protect from harm and minimise or avoid disturbance to species and habitats, incorporating a Precautionary Working Method Statement (PWMS) with Reasonable Avoidance Measures for protected species, to include strategies to reduce impacts upon breeding / nesting birds and mitigation methodologies to protect Great Crested Newts and reptiles (including bird and newt refuge and reptile survey(s) immediately prior to commencement / resumption of each working period with provision to delay work when present for protection procedures), detailed bat swarming surveys and impact assessment on breeding/hibernating bats at the mine to inform mitigation prior to recommencement of operations at the mine, to be submitted for approval and brought into effect prior to the recommencing the infilling and re-profiling of Bow Rake / High Rake.**
- **Landscaping – protection of existing trees, hedgerows etc. Submission for approval and implementation of a Landscape and Ecological Management Plan (LEMP) / Habitat Management Plan (to include evaluation of features to be managed, ecological trends and constraints, management objectives, and a detailed work schedule of management actions) covering the 20 year infill period and statutory five year aftercare period thereafter.**
- **Implementation of the approved aftercare programmes for Deep Rake and Arthurton West.**
- **Implementation of the approved restoration schemes for Longstone Moor/ Watersaw Rake, Coombes Dale and Sallet Hole, Strawberry Vein haul road.**

- **Submission of detailed restoration and aftercare schemes for Bow Rake/High Rake, based upon the revised scheme / Restoration and Aftercare Management Plan submitted with this application within 6 months of approval date.**
- **Implementation of approved restoration and 10 year period aftercare schemes on Bow Rake/High Rake and Strawberry Vein haul road. All plant, machinery, hardstandings, buildings, foundations to be removed from site, removal of the Watersaw Mine compound, and restoration of the compound to approved levels, on or before 30 Nov 2035, whichever is sooner.**
- 2. **That authority be delegated to the Head of Development Management and the Head of Law jointly to determine the details of the section 106 legal agreement.**
- 3. **That authority be delegated to the Head of Development Management to approve the final details of the conditions.**
- 4. **That authority be delegated to the Head of Law to issue a revocation order(s) in relation to the previous planning permission(s) NP/DDD/0804/0947, NP/DDD/0804/0946, and NP/DDD/0805/0818 described at above.**

The meeting was adjourned at 11.20am for a short break and reconvened at 11.30am

**71/18 FULL APPLICATION - ERECTION OF LOCAL NEEDS AFFORDABLE DWELLING - LAND SOUTH WEST OF PARK FARM, LONGSTONE LANE, ASHFORD-IN-THE-WATER**

Members had visited the site on the previous day.

The Officer introduced the report.

The following spoke under the Public Participation at Meetings Scheme:

- Hannah Owen, Supporter
- Valerie Brown, Objector
- Joe Oldfield, Agent and Mr Furness, Applicant shared the 3 minute speaking allocation

Members considered that the site formed part of Ashford settlement and infill, that the development would not have an adverse impact on the landscape and that there was a need for an affordable dwelling as the applicant met the criteria. Members considered whether to defer the application to look again at the precise location and design, but decided that the basic standard design was the cheapest option for those trying to get on the property ladder.

A motion for an amendment for deferral was moved but not seconded.

A motion to approve the application, contrary to the Officer recommendation was moved, seconded, put to the vote and carried.

**RESOLVED:**

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

1. **S106 Agreement in order to secure the local need and long term affordability**
2. **3 year time limit to implement the development**
3. **Approval of plans submitted**
4. **Agree details of landscaping**
5. **Agree materials and design detailing**
6. **Landscaping, car parking areas and boundaries**
7. **Confirmation of drainage arrangements**
8. **Remove permitted development rights**
9. **Relocation of window on western elevation**

**72/18 FULL APPLICATION - ERECTION OF TWO LOCAL NEEDS AFFORDABLE DWELLINGS. LAND AT HEATHCOTE, BIGGIN**

The Officer introduced the report, and informed Members of an amendment to the report at para 9.28 which read "There were therefore no objections to the development on Highway grounds" which was not consistent with what was in the report and was an error, and should have read "That because the necessary highway and visibility alterations cannot be achieved without adverse landscape impacts, development is also open to objection on grounds of highway safety".

The following spoke under the Public Participation at Meetings Scheme:

- Ms Susan Baker, Objector
- Mr John Inver, Agent

Members felt that although there was clearly a local housing need, this development was in the wrong place as it would be a building in the open countryside, and that a more suitable site could be sought.

A motion to refuse the application in accordance with the Officer recommendation was moved, seconded, put to the vote and carried.

**RESOLVED:**

To **REFUSE** the application for the following reasons:

1. **The provision of new build affordable housing outside of a named settlement and in the open countryside is contrary to Development Plan policy LH1.**
2. **A housing need has not been evidenced in support of the proposal, contrary Development Plan policy LH1.**
3. **It has not been demonstrated that the identified housing need cannot be met within the existing housing stock, contrary to Development Plan policy LH1.**

4. It has not been demonstrated that the proposed housing would remain affordable to those on low to moderate incomes in perpetuity, contrary to Development Plan policy LH1.
5. The isolated location of the dwellings would suburbanise the appearance of the landscape in this location, harming its character, contrary to Development Plan policies L1, and LC4.
6. The design of the single storey dwelling does not follow the tradition of two storey dwellings in the locality, is therefore contrary to adopted design guidance and would detract from the character and appearance of the built environment, contrary to Development Plan policy LC4.
7. The alterations required to the site access to meet highway requirements, including alteration to the drystone boundary walling and removal of mature trees, would detract from the character and appearance of the area, contrary to Development Plan policy LC4.

Cllr Lesley Roberts left the meeting at 12.30pm and returned at 12.45pm

**73/18 FULL APPLICATION - SITING OF FOUR CAMPING PODS AND ASSOCIATED CHANGE OF USE OF LAND - GARDENERS COTTAGE, HADDON DRIVE, BAKEWELL**

Members had visited the site on the previous day.

The Officer introduced the report.

The following spoke under the Public Participation at Meetings Scheme:

- Cllr Judith Twigg, County Councillor, Objector
- Mr John Rodgers, Objector
- Mrs Janette Rodgers, Objector
- Mr Robert Schofield, Objector
- Mr Stewart Armitage, Objector
- Mr Ivan Pick, Applicant

In accordance with the Authority's Standing Orders, the meeting voted to continue its business beyond 3 hours.

Members felt that the pods were too large for the area and although they were not against pods in principle, if in the right place, this was not a suitable place as it was a residential area and would impact on the neighbours. Nor was the access to the site acceptable.

A motion for refusal contrary to Officer Recommendation was moved and seconded.

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

**RESOLVED:**

**To REFUSE the application for the following reasons:**

1. Development was contrary to Policy LC4 because it failed to protect the amenity of the local residents regarding access arrangements.
2. The development was contrary to Policy RT3 which does not permit cabins or structures, and contrary to emerging Policy DMR1 because the pods proposed didn't represent small, simple wooden pod structures .

The meeting was adjourned at 1.30pm for a lunch break and reconvened at 1.50pm.

**74/18 FULL APPLICATION - PROVISION OF EDUCATION SUITE AND ANCILLARY ACCOMMODATION TO FACILITATE DIVERSIFICATION OF FARM ACTIVITIES AT HIGH LEES FARM, NEW ROAD, BAMFORD**

Members had visited the site on the previous day.

The Officer introduced the report and reported an amendment to Condition 6 to include details of paving and surfacing materials.

The following spoke under the Public Participation at Meetings Scheme:

- Ms Kate May, Applicant

Members were impressed with the ambitious nature of the project and that the applicant had engaged with the Authority from the very beginning, and were pleased that the farm was being brought back into use.

The Officer recommendation to approve the application, subject to an amendment to Condition 6 was moved, seconded, put to the vote and carried.

**RESOLVED:**

**To APPROVE the application subject to prior entry into a S106 legal agreement to tie the education suite and ancillary accommodation to the land and buildings at High Lees Farm, and subject to the following conditions.**

1. **Statutory time limit for implementation**
2. **No development shall commence until development phasing plan has been submitted and approved. Development to be carried out in accordance with approved details.**
3. **No development shall commence until construction management plan has been submitted and approved. Development to be carried out in accordance with approved details.**
4. **Travel plan to be submitted and approved prior to be first occupation of the education suite and ancillary accommodation.**
5. **Landscape scheme to be submitted, approved and implemented prior to the first occupation of the development.**
6. **Submit and agree sample of roof material and sample panel of stonework for education suite and ancillary accommodation together with details of paving and surfacing materials.**

7. The package treatment plant shall be installed prior to the first occupation of education suite and ancillary accommodation.
8. The parking and manoeuvring areas shall be laid out, constructed and available for use prior to the first occupation of the education suite and ancillary accommodation and shall be permanently so maintained.
9. Development shall not be carried out other than in accordance with recommendations of submitted protected species survey report.
10. Restrict use specifically to education suite and accommodation all ancillary to High Lees Farm and to be retained within a single planning unit.
11. Restrict residential accommodation to holiday accommodation only.
12. Restrict the maximum number of guests to no more than 16 at any time.
13. Restrict the use of agricultural buildings for the purposes of agriculture only.
14. Remove agricultural buildings when no longer required for the purposes of agriculture.
15. Remove permitted development rights for alterations and extensions from residential accommodation.
16. Specification of colour finish for sheeting and doors to agricultural buildings.

**75/18 FULL APPLICATION - CHANGE OF USE OF BARN TO REHABILITATION CENTRE. THE SMITHY, MAIN ROAD, EYAM**

As there were no speakers registered for Item 14, the Chair brought forward Item 15 for consideration, as the speaker had arrived for that item.

Members had visited the site on the previous day.

The Officer introduced the report and informed Members that since the report had been written 2 more letters of support had been received, and a bat survey had been carried out during which no bats had been found. The Authority's Ecologist had recommended a precautionary approach as recommended in the report, and asked for this to be added as a footnote to inform potential builders. The Ecologist also asked for a Condition to be added to enhance potential bat use with ridge tile access points. Further conditions were suggested by the Officer covering a revised design for the gable door opening, the omission of the plastic roof tile vents in favour of hidden ridge vents and the submission for written agreement of details (including noise output) of any external vents for the endless swimming pool room facility.

The following spoke under the Public Participation at Meetings Scheme:

- Ms Joanne Barnett, Applicant

The Officer recommendation to approve the application subject to the additional Conditions and Footnote was moved, seconded, put to the vote and carried.

**RESOLVED:**

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

1. **Standard time limit**

2. Development in complete accordance with the submitted '1:1250 site plan' and the amended plans 'PL-01' and specifications, subject to the following conditions or modifications.
3. Roof clad with natural gritstone slates
4. With the exception of the rear window (elevation D) and the large opening on the gable end (elevation A) all windows and doors shall be made of timber.
5. Agree finish for windows and doors
6. Rooflights fitted flush with the roof.
7. Cast metal rain water goods, painted black, on rise and fall brackets.
8. All glazing in the west facing elevation shall be obscure glazed and permanently so maintained. The upper floor window shall be top hung and open a maximum of 100mm.
9. The rooflights shall be no less than 1.7m higher than the floor level of the room in which they are located, and this shall be permanently so maintained.
10. Windows and doors to be recessed from the external face of the stonework no less than 100mm.
11. The rehabilitation centre hereby approved shall be ancillary to the existing Osteopathy Centre.
12. No door or window on the front or side facing elevations shall open outwards at ground floor level.
13. Any permanent disabled ramping to aid pedestrian access via any doorway at ground level shall be wholly contained within the building(s) i.e. there shall be no works within the public highway. For information the highway boundary is the front face of the walls of the buildings facing Main Road and Little Edge.
14. Proposed roof tile vents to be omitted and replaced by ridge vents with alternative hidden venting
15. Details of plant and extraction for the pool.
16. Amended door detail for gable end

#### Footnote

1. Prudent working in the event bats are found and mitigation in the form of bat access points in the roof.

Cllrs Chris Carr and Cllr Harold Laws left the meeting at 2.50pm following consideration of this item.

#### **76/18 FULL APPLICATION - REPLACEMENT AGRICULTURAL BUILDING TO HOUSE AND FEED YOUNG LIVESTOCK. LAND OFF NEW ROAD, CASTLETON**

Members had visited the site on the previous day.

The Officer introduced the report.

Members felt that the need for a building on this site was unnecessary.

The motion for refusal, contrary to officer recommendation was moved and seconded. The motion was voted upon and carried.

**RESOLVED:**

**To REFUSE the application for the following reasons:**

- 1. No agricultural justification in that location**
- 2. Landscape harm**
- 3. Insufficient Information**

**Cllr Jamie Macrae left the meeting at 15.00.**

**77/18 FULL APPLICATION - DEMOLITION OF EXISTING OUTBUILDING AND CONSTRUCTION OF DOMESTIC EXTENSION AND GARAGE. LOMAS COTTAGE, LITTON DALE, LITTON, DERBYSHIRE.**

The Officer introduced the report.

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

**RESOLVED:**

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

- 1. Statutory time limit.**
- 2. In accordance with amended plans.**
- 3. Walls to be of a rendered construction to match existing dwelling.**
- 4. Slate roofs to match existing dwelling.**
- 5. Natural stone lintels and sills to match existing dwelling.**
- 6. Timber windows, doors and vertically boarded garage doors.**
- 7. Windows and doors recessed to match existing dwelling.**
- 8. Removal of permitted development rights.**
- 9. The replacement of the glazed bi-fold doors with a ground floor window, details to be submitted.**

**78/18 FULL APPLICATION - INSTALLATION OF STUDIO IN THE FRONT GARDEN AT CRIEFF, ASHOPTON ROAD, BAMFORD**

The Planning Officer introduced the report.

Members requested a change to Condition 3 regarding the colour of the paint and asked that this be changed to natural wood. Officers agreed to this change.

The Officer recommendation to approve the application subject to an amendment to Condition 3 was moved and seconded, put to the vote and carried.

**RESOLVED:**

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

1. **Statutory time limit for implementation.**
2. **In accordance with submitted plans.**
3. **Timber walls to be natural wood and window and door frames to be finished anthracite grey.**

**79/18 HEAD OF LAW REPORT - PLANNING APPEALS**

A motion to receive the report was moved, seconded, put to the vote and carried.

**RESOLVED:**

**That the report be received.**

The meeting ended at 3.20 pm