
MINUTES

Meeting: **Planning Committee**

Date: Friday 14 December 2018 at 10.00 am

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

Chair: Mr P Ancell

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

Apologies for absence: Cllr A Hart, Mr Z Hamid and Mr J W Berresford.

137/18 CHAIRS ANNOUNCEMENTS

The Chair welcomed Mr Ken Smith as a full member of the committee.

138/18 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 12 October 2018 were approved as a correct record.

139/18 URGENT BUSINESS

There were no items of urgent business.

140/18 MEMBERS DECLARATIONS OF INTEREST

Item 7

Jane Newman, Head of Development Management, declared a non-prejudicial interest as the objector was a member of the family of a friend and would leave the room during this discussion.

All Members had received an email from Caroline McIntyre, applicants' agent, regarding this application.

Item 8

Cllr Patrick Brady declared a personal interest as a member of Taddington Parish Council which commented on the application and was acquainted with applicant's family as a fellow resident of Taddington.

Cllr Harold Laws declared a personal interest as Heritage Champion for North East Derbyshire District Council and a member of English Heritage and National Trust.

Item 9

Cllr P Brady declared a prejudicial interest as he was related to the applicant and would leave the room during discussion of this item.

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

Item 10

Jane Newman, Head of Development Management declared a non-prejudicial interest as she had used the garage and would leave the meeting during this item.

Item 13

John Scott, Director of Conservation and Planning, declared a prejudicial interest as the applicant was a close friend of his daughter and would take no part in the discussion.

Item 14

Cllr Lesley Roberts and Cllr Kath Potter had received an email from Mr Griffiths.

All members declared an interest as the application related to an Authority property.

141/18 PUBLIC PARTICIPATION

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

142/18 FULL APPLICATION - THE CHANGE OF USE OF AN AREA PREVIOUSLY USED AS A MERCHANTS AREA TO HOTEL ACCOMMODATION AT MARKOVITZ LIMITED, COMMERCIAL ROAD, TIDESWELL

Members had visited the site on the previous day.

The Planning Officer introduced the report.

The following spoke under the public participation at meetings scheme:

- David Hopkins – Applicant

The Planning Officer confirmed the current building was the result of the 1997 planning permission.

The Officer recommendation for approval subject to conditions was moved and seconded.

The Members requested clarification regarding the requirement for obscure glazing on the rear facing elevation windows and rooflights as it appeared that there was no view from the windows due to the perimeter wall. The Planning Officer confirmed that there was a perception of overlooking and the introduction of the obscure glazing would remove this issue. Members requested that further discussion take place regarding the necessity for the obscure glazing.

The Officer recommendation for approval subject to changes to conditions 6 and 10 was voted on and carried.

RESOLVED:

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

- 1. Standard time limit.**
- 2. Development in complete accordance with the amended plans CY3A, CY4A, CY5B and specifications, subject to the following conditions or modifications.**
- 3. The accommodation hereby approved shall be used solely as short-let serviced holiday accommodation ancillary to the existing restaurant 'Merchants Yard' and remain within the same planning unit as the existing restaurant. The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year.**
- 4. The owner shall maintain a register of occupants for each calendar year which shall be made available for inspection by the Authority.**
- 5. Prior to first letting of the hotel rooms permitted by this development the works to reduce the height of the eaves, increase the pitch of the roof, clad the roof with natural blue slate and finish the walls in natural limestone shall be undertaken and completed.**
- 6. Prior to the installation of glazing a scheme shall be agreed in writing for the consideration of the need for the installation of obscure glazing based on overlooking.**
- 7. Prior to installation of any external air conditioning units full details of their design, siting, and a noise impact assessment carried out by a suitably qualified professional shall be submitted to the Authority for approval in writing.**
- 8. As shown on the approved plans there shall be no more than 8 bedrooms and this shall be maintained throughout the lifetime of the development.**
- 9. The 5 parking spaces shown on the ground floor of the building shall be maintained throughout the lifetime of the development, in combination with the existing 8 external parking spaces these shall be maintained throughout the lifetime of the development free from impediment from their designated use.**
- 10. The rooflights shall be conservation type rooflights, fitted flush with the roofslope and permanently so maintained. Prior to installing of any**

rooflights a scheme shall be agreed for the consideration as to the need for the installation of obscure glazing based on overlooking and full details of their precise size, design and siting shall be submitted to the Authority for approval in writing. Once agreed the rooflights shall not be installed other than in complete accordance with the agreed details and shall be permanently so maintained.

11. All stonework shall be natural limestone and shall be faced, laid and pointed to match the existing.

12. Natural gritstone head and sills to openings as shown on the approved plans.

13. Timber windows and doors, finish to be agreed with the authority in writing.

14. All windows and doors shall be recessed from the external face of the stonework at least 100mm.

Mr Robert Helliwell joined the meeting at 10.25 but did not vote on this item.

143/18 FULL APPLICATION - EXTENSION AND ALTERATIONS TO THE HOUSE, RE-ORGANISATION OF DRIVE AND GARDEN AREAS AND NEW DOUBLE GARAGE AT GATEHOUSE FARM COTTAGE, GATEHOUSE LANE, HATHERSAGE

Jane Newman, Head of Development Management, left the room during discussion of this item.

Members had visited the site on the previous day.

The Planning Officer introduced the report. A previous application had been considered by committee in January 2018 and refused. The new proposal followed consultation with officers to resolve the issues of the previous application based on the steer from Members at the January committee.

The Planning Officers confirmed that the proposal was larger than would normally be acceptable and outside policy guidelines but would enhance the property sufficiently to make the scheme acceptable.

The Planning Officer reported that a further representation had been received from the owner of the adjacent property after the publication of the committee papers. which raised the following points and concerns:

- The report contained an unbalanced assessment of the negative and positive aspects of the scheme
 - Issue in relation to the legal status of the property.
1. Overdevelopment in the area in a small hamlet visible from the open countryside.
 2. Impact on privacy and light to Little Gatehouse
 3. Impact on traffic volumes to The Gatehouse
 4. Erosion of privacy and increased traffic for Gatehouse Farm

5. Change to the historical context of the hamlet and building where the cottage, built as a barn and only recently converted to a small cottage, would now look to dominate the historical farmhouse.

The point was also raised that the original planning permission in 1969 was granted for a building as ancillary service accommodation to Gatehouse Farm. It was then converted in the early 1970s and this permission still exists. The Planning Officer confirmed that there is some uncertainty regarding recent occupation. If the application was approved the issue regarding the 1969 permission could be resolved as a separate legal matter outside the Committee.

The following spoke under the public participation at meetings scheme:

- Simon Gedye – Agent

Members requested clarification regarding the possibility of the property being used for B&B and if planning permission had been sought for the property. The Planning Officer confirmed that the use of the property as a B&B had not been discussed with the applicant but that up to two rooms can be used without the need for planning permission as it would not be a material change of use.

The Officer recommendation to approve the application subject to conditions was moved and seconded.

Members sought clarification on the plan to use concrete tiles on the garage roof and not similar tiles to those on the house. Officers confirmed that this type of tile was acceptable on outbuildings.

A recommendation to change the conditions to ensure the scheme enhancement was completed before the accommodation was first occupied was put forward. It was agreed to change condition 3 to include this.

Members asked if consideration had been given to the size of the windows and the impact of this on dark skies. Officers confirmed this had not been considered, as normally only external lighting is considered.

The Planning Officer confirmed that the Authority was able to provide advice to the applicant and subsequent occupants regard the upkeep of the green roof.

Members acknowledged the neighbours' concerns.

The Officer recommendation to approve the application subject to changes to condition 3 was voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Standard time limit.**
2. **Prior to the commencement of the development a construction management plan shall be submitted showing areas of the site to be used for storing building materials and placement of skips. The scheme shall be completed in accordance with the approved plans before the new accommodation is first occupied.**

3. Development in complete accordance with the submitted plans including 101RevQ, 102RevK, 103RevK, 104RevJ and 106RevE, and specifications, subject to the following conditions or modifications. Occupation of the development shall not take place until all work completed.
4. Stone panel and roof materials to be submitted for approval.
5. Detailed specification of windows and doors to be submitted for approval.
6. Rooflights in the garage to be no larger than 78cm long 55cm wide.
7. The rear single storey extension to measure no higher than 1800mm from existing ground levels immediately adjacent at Gatehouse Farm.
8. Details of surface water drainage to be submitted for approval
9. Submission of a scheme for maintenance of the green roof.
10. Remove permitted development rights for extensions and alterations and for ancillary buildings in the curtilage.
11. All new door and window frames within the extension shall be recessed from the external face of the wall to the same depth as the existing frames on the host dwelling.
12. All rooflights shall be fitted flush with the roofslope.
13. The glass divide to the south facing elevation of the two storey extension shall be no wider than 900mm and shall be recessed from the external face of the wall by at least 100mm.
14. No fascia or barge boards.

Jane Newman returned to the meeting following discussion on this item.

144/18 FULL APPLICATION - ERECTION OF A 3 BED, 2 STOREY DWELLING WITH ADJOINING GARAGE, AT FIELD HEAD, MAIN STREET, TADDINGTON

Members had visited the site on the previous day.

The Planning Officer introduced the item and emphasised the legal basis on which the Conservation Area must be given weight.. Where there is a clear conflict between the National Park Authority duty to foster the economic and social well-being of communities and the purpose to preserve the cultural heritage of the National Park, the purpose must take precedent.

The following spoke under the public participation at meetings scheme:

- Mr Michael Handley, Father of applicant

- Mr George Handley, applicant

Some members felt that the recent removal of shrubs on the site had altered views into and across the site and therefore the significance of those views as assessed in the conservation area assessment for Taddington may have altered. They also considered that the building of a house between the proposed site and Taddington Hall had changed the relationship between the site and the Hall.

A motion to approve the application contrary to the Officer recommendation and subject to conditions was moved and seconded.

Members expressed concerns regarding the lack of heritage assessment and the difficulty of clarifying the importance of the site without the information. Members were minded to defer the application to allow a heritage assessment to be carried out.

The Planning Officer clarified that it would not be possible to add a condition to carry out the Heritage Assessment as this should inform the decision about whether the development would be acceptable. A motion to defer the application contrary to Officer recommendation for the completion of a heritage assessment was moved and seconded.

The Planning Officer confirmed that the cost of the survey would be the responsibility of the applicant.

The motion to defer the application was voted on and carried.

RESOLVED:

That the application be DEFERRED to enable the completion of a Heritage Assessment of the site.

Cllr Andrew McCloy joined the meeting following discussion of this item.

The meeting was adjourned at 11.50 for a short break and reconvened at 12.00.

145/18 FULL APPLICATION - ERECTION OF OPEN MARKET DWELLING AT FORMER SEVERN TRENT PUMPING STATION SITE, MAIN STREET, TADDINGTON

Cllr Patrick Brady left the meeting during discussion of this item.

Members had visited the site on the previous day.

The Planning Officer introduced the item.

The following spoke under the public participation at meetings scheme:

- Mark Allen – Applicant

The Officer recommendation to refuse the application was moved and seconded.

Members supported the Officer recommendation to refuse the application as the proposal was too large would have a harmful impact on the landscape and would fail to preserve the character of the Conservation Area..

The Officer recommendation to refuse the application was voted on and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The provision of open market housing is contrary to policy HC1 other than in exceptional circumstances which do not apply in this case.**
- 2. The location of the dwelling would detract from the open character of the identified Important Open Space and the dwelling would appear isolated, harming the character and appearance of the Taddington Conservation Area and the landscape character of this part of the National Park, contrary to Development Plan policies LC4 and LC5.**
- 3. The site access is substandard in terms of both its width and in regard to exit visibility on to the public highway, and intensification of its use would be harmful to highway safety contrary to policy LT18.**

Cllr Patrick Brady returned to the meeting.

146/18 FULL APPLICATION - SINGLE STOREY EXTENSION TO HOUSE A NEW CLASS 7 MOT BAY AND RE-ROOF OF EXISTING ROOFS AT FROGGATT EDGE GARAGE, GRINDLEFORD ROAD, CALVER

Jane Newman, Head of Development Management, left the room during discussion of this item.

Members had visited the site on the previous day.

The Planning Officer introduced the item.

The following spoke under the public participation at meetings scheme:

- Dr S Furness, Supporter
- Mr Thomas Charles Murphy, Supporter
- Mr Jim Lomas, DLP Planning Ltd, on behalf of the applicant

Members were concerned that there was no other option to develop and improve the site and noted that the owner of Bramley View supported the application despite the Planning Officer's concerns regarding the impact of the development on this property.

A motion to approve the application contrary to Officer recommendation and subject to conditions was moved and seconded.

The Planning Officer confirmed that the size of the roller shutter door in the gable was dictated by the requirements of the business.

Members requested that improvements should be made to the street scene and that conditions to ensure this were agreed with approval of the Chair and Vice Chair.

Members requested a condition to ensure that any new external lighting was approved by the Authority prior to installation.

The motion to approve the application contrary to Officer recommendation and subject to conditions was voted on and carried.

RESOLVED:

That the application be APPROVED contrary to Officer Recommendation with the following conditions:

- 1. To commence development with three years**
- 2. Carry out in accordance with submitted plans and specifications**
- 3. Natural Gritstone walling & blue slate roofing. Recess roller shutter door 150mm and agree dark colour**
- 4. Maintain parking spaces**
- 5. No new external lighting without Authority approval**
- 6. Submit and agree a Noise attenuation scheme for the two storey building and implement before bringing extended building into use.**
- 7. Remove permitted development rights**

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

The meeting was adjourned at 13.25 for a lunch break and reconvened at 13.35

Cllr Patrick Brady, Cllr Chris Carr and Mr Robert Helliwell left the meeting and did not return following the lunch break.

Jane Newman returned to the meeting following the lunch break.

Present:- Mr P Ancell, Chair

Cllr D Birkinshaw, Cllr J Atkin, Cllr D Chapman, Cllr Mrs C Howe,
Cllr H Laws, Cllr Mrs K Potter, Cllr Mrs L Roberts, Cllr M Chaplin,
Cllr A McCloy, Cllr J Macrae, Mr K Smith

147/18 FULL APPLICATION - CHANGE OF USE AND ALTERATIONS TO FORM A SINGLE DWELLING AT FORMER SCOUT HUT, CHARLOTTE LANE, BRADWELL (NP/DDD/0918/0817), P994, AM)

The Chair advised that as items 11 & 12 on the agenda were linked they would be considered together (see also minute 148/19)

Members had visited the site on the previous day.

The Planning Officer introduced the item. The building was currently in a poor state due to lack of maintenance over the past few years. Due to the failure to demonstrate that the building was no longer needed for a community use or affordable housing and the harm to the significance of the listed building which would result from the scheme, the recommendation was for refusal. The Planning Officer also set out concerns regarding the lack of a survey to determine whether bats are present in the building.

The following spoke under the public participation at meetings scheme:

- Peter Wilkinson, Agent

The Officer recommendation for refusal was moved and seconded.

Members asked how it could be established that there was no longer a need for the community to use the building. Officers advised this could be confirmed by the Parish Council and by looking at bookings for similar facilities in the village to ensure there was availability.

The Officer recommendation to refuse the application was voted on and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. There is no evidence within the application that the community facility is either no longer needed by the community or can no longer be viable contrary to the requirements of HC4. HC4.C. goes on to say that wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing and that evidence of reasonable attempts to secure such a use must be provided before any other use is permitted. Contrary to the requirements of policy HC4 and DSM2 no evidence of a viability and marketing exercise has been submitted. The application asserts that the property would not be suitable for affordable housing but no evidence of contact with the parish council or local affordable housing needs has been submitted. Policies HC4. C. and DSM2 are clear that this evidence must be provided before any alternative use such as a market dwelling is accepted in principle. In the absence of any such evidence it cannot be concluded that the proposed development is acceptable in principle.**
- 2. The proposed scheme would harm the significance of the listed building particularly in relation to the insertion of the first floor, and window detailing, contrary to Core Strategy policy L3 and saved Local Plan policies LC4, LC5, LC6 and LC8. In the absence of public benefits that would outweigh the harm that has been identified the proposal is also considered to be contrary to the National Planning Policy Framework.**
- 3. The proposed development would be likely to create intervisibility between facing windows and a loss of privacy which would harm the amenity of the occupants of Elmswell and the proposed dwelling contrary to Core Strategy policy GSP3, saved Local Plan policy LC4 and the Authority's adopted design guidance.**
- 4. Insufficient evidence has been provided to allow the Authority to conclude that the proposed development would not harm protected species contrary to Core Strategy policy L2 and saved Local Plan policy LC17.**

148/18 LISTED BUILDING CONSENT - CHANGE OF USE AND ALTERATIONS TO FORM A SINGLE DWELLING AT FORMER SCOUT HUT, CHARLOTTE LANE, BRADWELL

This item was considered in conjunction with the related planning application details of which are in the minute 149/17 above

The Officer recommendation for refusal was moved and seconded.

The Officer recommendation to refuse the application was voted on and carried.

RESOLVED:

That the application be REFUSED for the following reason:

- 1. The proposed development would harm the significance of the Grade II listed building contrary to Core Strategy policy L3 and saved Local Plan policy LC6. The public benefits of the scheme would not outweigh the harm that has been identified and therefore the proposed development is contrary to the National Planning Policy Framework.**

149/18 FULL APPLICATION - DEMOLITION OF STABLE/OUTBUILDING AND CONSTRUCTION OF NEW HOLIDAY COTTAGE AT BOLEHILL FARM, BOLEHILL, BAKEWELL

John Scott, Director of Conservation and Planning, left the room during discussion of this item.

Members had visited the site on the previous day.

The Planning Officer introduced the report. The policies support conservation of traditional vernacular buildings to holiday accommodation, however, the building subject to this proposal was not of significant merit and there was no policy basis to support the scheme for new build holiday accommodation. There are also concerns about the impact on the trees surrounding the development.

The following spoke under the public participation at meetings scheme:

- Mr Daniel Opala – on behalf of Applicant

Members raised additional concerns regarding the distance of the building from the others on site and the need for a walkway from parking to the accommodation and the impact this would have on the landscape.

Members recognised the contribution of the business to the local economy and tourism, but were concerned the proposal is separate to the original group of converted traditional buildings and would not be acceptable. Members suggested that options within the group of traditional converted buildings for the development of the business should be considered.

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

RESOLVED:

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

1. **The provision of new build holiday accommodation is contrary to policy RT2.**
2. **The form and detailed design of the building fails to conserve the character and appearance of the built environment, contrary to Development Plan policy LC4.**
3. **The application fails to provide an assessment of the impacts of the development on adjacent trees, contrary to policy LC20**

John Scott returned to the meeting.

150/18 FULL APPLICATION - REPLACE ROOF TO DERELICT RAILWAY GOODS SHED AND CHANGE THE USE OF THE BUILDING TO INCORPORATE INTERPRETATION AT MILLERS DALE STATION, MILLERS DALE

The Planning Officer introduced the item.

The building currently does not have a roof which was causing damage to the walls of this non-designated heritage asset. The new roof would have solar tiles in preference to panels to reduce the carbon footprint of the new interpretation space which would have interactive digital displays.

Members requested assurance that the new interior roof structure would reflect the historical structure of the building. The Planning Officer advised that there was an absence of evidence of all the details of the building's original design and it is not a listed building so works would be proportionate but consultation with the conservation team would be carried out.

The Officer recommendation to approve the application with conditions was moved and seconded.

Members suggested that plans of other similar buildings built by Midland Railway could be used as reference material in the redevelopment.

The Officer recommendation to approve the application with conditions was voted on and carried.

RESOLVED:

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

1. **Statutory time period for implementation**
2. **Development to be carried out in accordance with specified approved plans, subject to the following conditions and amendments.**
3. **Natural blue slates to be used for the re-roofing, to match as closely as possible the existing slates to the Booking Office and attached Post Room. Ridge tiles to match the existing ridge tiles to the Booking Office and attached Post Room.**

4. **Photo Voltaic slates shall be used rather than panels. The slates are to be as close in size as possible to the existing roof slates on the Booking Office and attached Post Room.**
5. **Details of roof trusses and ridge to be agreed.**

151/18 DEVELOPMENT MANAGEMENT PERFORMANCE

The reporting of planning performance had previously been reported to the Audit, Resource & Performance Committee. A decision had been made to report the performance to Planning Committee instead as the information is directly relevant to the committee.

Members questioned the periods over which performance is assessed for quality of decision-making. The Planning Officer advised that these are set by DHCLG.

The motion to note the report was moved, seconded, put to the vote and carried.

RESOLVED:

To note the report

152/18 HEAD OF LAW REPORT- PLANNING APPEALS

The motion to note the report was moved, seconded, put to the vote and carried.

RESOLVED:

To note the report.

The meeting ended at 3.00 pm