



MINUTES

Meeting:	Planning Committee
Date:	Friday 8 March 2019 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 M Chaplin, Cllr D Chapman, Cllr A Hart, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Cllr A McCloy, Cllr J Macrae, Cllr Mrs K Potter and Cllr Mrs L C Roberts
Apologies for absence:	Cllr J Atkin and Mr K Smith.

29/19 MINUTES OF PREVIOUS MEETING

Cllr Brady raised a query under minute 25/19. Officers agreed that the action was actually to explain to Members why the construction of a horse exercise arena had been permitted development in this location.

Otherwise, the minutes of the last meeting of the Planning Committee held on 8 February 2019 were approved as a correct record.

30/19 MEMBERS DECLARATIONS OF INTEREST

Item 6

It was noted that most Members had received emails from the following persons:

- Christine Woodhead,
- William Middleton, Derwent and Hope Woodlands Parish Council
- Gareth Smith, Severn Trent Water

A copy of a petition had also been received.

Mr R Helliwell declared a personal interest as he had received 2 emails and a telephone call from William Middleton and also he was acquainted with the Chair and Secretary of Derwent and Hope Woodlands Parish Council.

Cllr D Chapman declared a personal interest as he knew two of the speakers, Gillian Scotford and Anne Robinson as did Cllr. K Potter who was also a member of CPRE.

Cllr H Laws declared a personal interest as a collector of Dambusters' memorabilia and stated that he had an open mind on the application.

It was noted that the Authority had a working relationship with Severn Trent Water Limited.

Item 7

It was noted that most Members had received an email from Punch Partnerships

Cllr J Macrae declared a personal interest as a member of Cheshire East Council who were one of the consultees on the application and had submitted comments but he made it clear that he had not been involved in the representations.

Item 8

It was noted that the Authority is the owner of the Visitor Centre that this application relates too.

Item 10

Cllr P Brady declared a personal interest as he was acquainted with the Chairman of the Parish Council.

Cllr D Chapman declared a prejudicial interest as he was very good friends with the neighbour of the application site. Cllr Chapman would leave the room when the application was considered.

Item 11

Cllr P Brady declared a personal interest as he was acquainted through family with several of the people who had made representations on this application..

Cllr K Potter declared a personal interest as a member of CPRE.

31/19 PUBLIC PARTICIPATION

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

32/19 FULL APPLICATION - NEW BUILDING TO PROVIDE DAMBUSTERS EXHIBITION, CAFE SPACE AND SHOP AT FAIRHOLMES VISITOR CENTRE, BAMFORD

It was noted that Members had visited the site on the previous day.

The Planning officer reported that a further 11 letters of representation had been received since the report was written and one petition signed by 62 individuals. Of these representations nine were objections, one was an additional reason, one was a new supporter and one made general comments. No new issues had been raised.

The petition received stated that the signatories called 'upon the Peak Park Planning Committee to reject the Severn Trent Water planning application 1205 regarding the proposed new building development at the Fairholmes visitor site'. It also stated that they did support 'improvements to the toilets, a new changing places facility and a new home for the Dambusters story but as an extension of the existing building' and that they

objected to 'a 60 cover cafe on the grounds of insufficient infrastructure in respect of road capacity for what would be the expected additional traffic generation'.

A letter had also been received from the local MP which stated no objections to the visitor centre and museum but did state concerns regarding traffic management and accessibility of the site.

The planning officer also reported that the applicants had started actions to repaint the yellow no parking lines on Derwent Lane and had obtained a commitment from the County Council to properly enforce the clearway along Derwent Lane and on the A57 ; this would be done for 6 months and then reviewed by the County Council. It was proposed that an additional Grampian condition could require a sign to be put out at the southern end of Derwent Lane, near the A57, on busy days to indicate the car park at the site was full and visitors could be directed to use the bus turnaround circle and be diverted to Heatherdene car park.

The following persons spoke under the public participations at meetings scheme:

- Gillian Scotford, Accessible Derbyshire, Supporter
- Christine Woodhead, Local resident, Objector
- Margaret Wheatley, Local resident, Objector
- Andrew Wheatley, Local resident, Objector
- Peter Wareham, Objector
- Jan Cubison, Local resident, Objector
- Anne Robinson, Local resident, Objector
- William Middleton, Derwent and Hope Woodlands Parish Council, Objector
- Abdou Laye, Local resident, Supporter
- Gareth Smith, Planning Manager, Severn Trent Water, Applicant

Cllr Mrs K Potter declared a personal interest as Accessible Derbyshire had been the Local Joint Committee annual charity for the past year and Members had contributed to donations.

In response to a Member's query the Director of Conservation and Planning stated that the production of the supplementary planning document (SPD) regarding Recreation Hubs had been delayed due to other priorities including the Development Management DPD. The wording of paragraph 104 of the report was slightly confusing as it referred to the SPD being relatively advanced. However, the paragraph did state that little weight should be given to the SPD. It was stated that the proposals were in accordance with policy RT1. The Director explained the application of RT1 in this instance.

Members were concerned about the traffic problems, the impacts on the local community, the lack of sustainable transport, whether or not there was a need for a large cafe and the lateness of engagement with the local community by the applicant.

A motion for deferral for discussions with the applicant to consider a reduced sized café, and improved traffic management measures was moved and seconded.

It was noted that if the applicants were willing, the Authority could be involved in working with them, the local community and the Parish Council to look for solutions to the transport and parking issues at the site and in the valley.

The motion for deferral was put to the vote and carried.

RESOLVED:

To DEFER the application pending further discussions with the applicants regarding a reduced sized café and shelter, extension of existing building instead of a new building and improved traffic management measures.

The meeting adjourned at 12.01 for a short break and reconvened at 12.09.

33/19 FULL APPLICATION - CONSTRUCTION OF 9 NO. RESIDENTIAL UNITS (USE CLASS C3), COMPRISING 2 NO. 1-BEDROOM FLATS; 2 NO. 2-BEDROOM DWELLINGS AND 2 NO. 3-BEDROOM DWELLINGS FOR AFFORDABLE RENT AND 3 NO. 3-BEDROOM DWELLINGS FOR SHARED OWNERSHIP, ASSOCIATED CAR PARKING, CREATION OF NEW ACCESS, LANDSCAPING AND ASSOCIATED WORKS AT LAND OFF CHURCH LANE, RAINOW

It was noted that Members had visited the site on the previous day.

The Planning officer stated that officers considered that the need for the development was not demonstrated and that more consultation with local people was needed. The design of the scheme lacked quality and did not refer to the local building tradition. Officers were happy to continue working with the applicants and the community to deliver an appropriate level of affordable local needs housing in the parish.

The following spoke under the public participation at meetings scheme:

- Mark Walton, Agent

The Planning officer stated that the concern regarding the loss of woodland had been addressed therefore refusal reason 3 could be removed from the recommendation.

Although Members considered that the site was acceptable for affordable and local needs housing they were concerned regarding the evidence of need. Concern was also expressed regarding the design of the dwellings and the proposed access.

The recommendation for refusal for reasons 1, 2, 4 and 5 stated in the report was moved and seconded. The motion was put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The submitted application does not demonstrate that the development would meet eligible local needs for affordable housing and therefore fails to demonstrate exceptional circumstances to allow new build housing within the National Park contrary to Core Strategy policy HC1, saved Local Plan policies LH1 and LH2, the Authority's adopted Supplementary Planning Guidance 'Meeting the local need for affordable housing in the Peak District National Park', Emerging Development Management Policy DMH1 and the National Planning Policy Framework.**
- 2. By virtue of its scale, density, layout, materials and detailed design the proposed development would fail to reflect or respect the character of the local area and would harm the character and appearance of the area, the setting of the designated Rainow Conservation Area and the landscape character of the National Park contrary to Core Strategy policies GSP1, GSP3, L1 and L3, saved Local Plan policies LC4, LC5, LC20 and LH1,**

Emerging Development Management Policies DMC1, DMC3, DMC5, DMC8 and DMC13 and the National Planning Policy Framework.

3. **Insufficient information has been submitted with the application to demonstrate that the development would be served by safe access. It is considered likely that the development could lead to highway safety issues in relation to vehicles waiting to turn right into the site. The proposed development is therefore contrary to Saved Local Plan policy LT18, Emerging Development Management Policy DMT3 and the National Planning Policy Framework.**
4. **Insufficient information has been submitted with the application to demonstrate that the development would achieve the highest possible standards of carbon reductions and water efficiency in order to mitigate the causes of climate change contrary to Core Strategy Policy CC1 the Authority's adopted Supplementary Planning Document 'Climate Change and Sustainable Building' and the National Planning Policy Framework.**

34/19 FULL APPLICATION - TO PROVIDE OUTSIDE EATING/DRINKING AREA CONTAINING NO MORE THAN 25 COVERS (8 TABLE, 25 CHAIRS) TO THE EXISTING CAFE AT BLUEBERRY CAFE, CASTLETON VISITOR CENTRE, BUXTON ROAD, CASTLETON

The Planning officer reported that 6 letters of objection had been received since the report was written and these were summarised for the Committee. Key issues raised were increased noise, litter and disturbance to local residents, already enough eating/drinking establishments in the area, detract from the attractiveness of the area and is unnecessary development. A letter from the immediate neighbours to the site referred to increased noise from increased use of the bins at the rear, use of land at rear for dumping other matter, scale of trade bins, objected to the extension of the existing planning conditions inside to apply to the new outside area and noise extending to 7pm without consultation.

Mr James Shawe, the applicant, was present to answer Members questions if required. In response to a Member query Mr Shawe stated that crockery would be used to serve food on so there would be minimal disposable waste from this.

The recommendation for approval subject to conditions was moved and seconded. The motion was put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Statutory time limit for commencement of development.**
2. **That the development shall be in complete accordance with the submitted plans and specifications, received by the Authority 24 January 2019.**
3. **The chairs, tables and barrier shall only be put outside during the opening hours of the café, and shall be stored inside the building at all other times.**

35/19 FULL APPLICATION - REMOVE CLAUSE LIMITING USE OF THE CAFE TO THE ABLE BODIED BY USE OF FIRST FLOOR AND ALLOW OTHER ITEMS TO BE SOLD ON THE GROUND FLOOR TO BE SOLD ON THE FIRST FLOOR. REALIGN

THE OPENING TIMES WITH PERMISSIONS FOR OTHER LOCAL BUSINESSES TO 11PM. REPLACE THE FELT ON BOARD ROOF ON PART OF KITCHEN WITH POWDER COATED INSULATION SQUARE PROFILE TIN. LEGALISE THE SALE OF FOOD AND DRINK FOR OFF- SITE CONSUMPTION. FIT SECURITY CAMERAS TO PROTECT THE BACK OF PROPERTY. FORMALISE THE USE OF OUR LAND FOR THE USE OF CLIENTS TO SIT AND DRINK. THIS HAS BEEN A FEATURE FOR AT LEAST 10 YEARS AT DOLLY'S COFFEE AND CHINA SHOP, THE STONES, CASTLETON, S33 8WX

The Planning officer amended condition 9 of the report recommendation by deleting the words 'Prior to occupation of the development hereby approved'.

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

The following spoke under the public participation at meetings scheme:

- Michael Moorhouse, Applicant. Mr Moorhouse requested to be allowed to continue to open the business from 8am as he did at present rather than 9am as was proposed in the recommendation.

The recommendation for approval subject to conditions, including the amended condition 9, was moved and seconded.

In response to Members' queries officers confirmed that the outdoor furniture would need to be removed after 6pm each night.

It was agreed to amend condition 6 of the recommendation to state the internal opening hours would be from 8am to 9pm and the external hours would be from 9am to 6pm.

The motion with the amended condition 6 was put to the vote and carried.

RESOLVED:

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

- 1. Commence development within 3 years.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans; Application Form, Site Location Plan dated 24.01.2019, existing ground floor plan, existing first floor plan, proposed ground floor plan, proposed first floor plan, supporting statement, details of fan cover, details of CCTV cameras dated 20.12.2018, details of roofing dated 20.12.2018, seating plan 1 dated 24.01.2019, emails from applicant.**
- 3. The premises shall be used solely as an A1 shop/A3 Café use only.**
- 4. No takeaway hot food shall be served from the premises.**
- 5. Prior to the use hereby permitted commencing, a scheme for the installation of equipment to control the emission of fumes and odour from the premises shall be submitted to and approved in writing by the Authority. The scheme shall demonstrate compliance with, and be**

consistent with EMAQ Industry Guidance, "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018)". The approved scheme shall be implemented in full. All equipment installed as part of the odour control scheme shall thereafter be operated and maintained to ensure compliance with EMAQ (2018) and in accordance with the manufacturer's instructions.

6. The internal opening hours shall be between 08:00 and 21:00 only and the external opening hours shall be between 09:00 and 18:00 only.
7. The outdoor tables and chairs to serve this facility shall be located on the raised area of paving to the front of the property only, as shown on seating plan 1 dated 24.01.2019.
8. The outdoor tables and chairs shall be of a timber or metal construction and shall be located and used outside the property between 09:00 and 18:00 only.
9. A full flood risk assessment should be submitted demonstrating to the satisfaction of the National Park Authority in consultation with the Environment Agency that flood risk, both within or arising from the site, can be effectively managed.
10. The CCTV cameras and fan cover shall be in black.
11. Aside from the outdoor tables and chairs, no other fixtures other than a waste bin, associated with the businesses shall be located outside the front of the property.
12. A black coloured metal or timber waste bin for customer use shall be provided outside the premises and sited on the forecourt at all times during the business opening hours.

The meeting adjourned at 13.14 for a lunch break and reconvened at 13.44.

Present: Mr P Ancell, Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr M Chaplin, Cllr D Chapman, Cllr A Hart, 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.

36/19 FULL APPLICATION - REBUILDING OF BARN AND CONVERSION TO A DWELLING AT BARN TO THE WEST OF THE RAKE, MONYASH

It was noted that Members had visited the site on the previous day.

The following spoke under the public participation at meetings scheme:

- Andy Tickle, Friends of the Peak District, Objector
- Jack Hotchin, Applicant

Cllr P Brady stated that he would comment on the application but he would not vote on it as he knew some of the representation writers.

In response to a Member's query the Director of Conservation and Planning stated that in his view planning policies were being used to deliver affordable local needs housing

and that Members should be aware that local needs dwellings are being approved under delegated powers and that the applications reported to Committee are typically those which raise broader issues. The Director stated he planned to do a summary of approvals from the monthly delegated applications decisions lists.

Members were concerned that the site was very isolated and that a total new build would be required rather than conversion of the existing barn.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposed development would create an isolated new build dwelling in the open countryside that would not deliver conservation or enhancement of a valued vernacular building. The proposal is therefore contrary to policy HC1 of the Core Strategy and paragraph 79 of the National Planning Policy Framework which seeks to avoid isolated homes in the countryside.**
- 2. The proposed development would result in the almost total demolition of the existing field barn which is a non-designated heritage asset, resulting in almost complete loss of the non-designated heritage asset, and would harm the character of the agricultural strip field system in which the barn is set and which is also a non-designated heritage asset. There are no public benefits that outweigh the harm to the non-designated heritage assets. The proposal is therefore contrary to policies GSP1, GSP2, GSP3, L1, L3, LC4, LC8 and the guidance contained within the National Planning Policy Framework.**
- 3. The creation of a new dwelling in this isolated location within the open countryside and the domestication of the site would result in significant harm to the landscape character and scenic beauty of the National Park. The proposal is therefore contrary to policies GSP1, GSP2, GSP3, L1, L3 and LC4 and paragraph 172 of the National Planning Policy Framework.**

14:15 Cllr A McCloy left the room.

37/19 HOUSEHOLDER APPLICATION - DEMOLITION AND REBUILD OF WESTERN SECTION OF DWELLING (RETROSPECTIVE); RENOVATION AND ALTERATIONS TO THE VEHICULAR ACCESS AT PRIMROSE COTTAGE, WINDMILL

Cllr D Chapman left the room as he had declared a prejudicial interest in this application.

It was noted that Members had visited the site on the previous day.

The Planning officer reported that a letter had been received from a neighbour which expressed concern regarding further use of the ground (paddock) for building development and asked for confirmation that the land was agricultural land. They also requested that the original field gate be reinstated and the additional gate denied. The Planning officer stated that the paddock was not part of the curtilage.

14.20 Cllr A McCloy re-joined the meeting but did not take part and abstained from voting in relation to this item.

The Planning officer added an extra condition to the recommendation requiring agreement of a landscaping scheme for the boundaries and definition of the existing residential curtilage using base mapping, with planning permission required for any extensions of curtilage.

A further condition was also added to require submission of all window sizes for checking by the Authority.

The recommendation for approval subject to conditions, including the 2 extra conditions agreed, was moved and seconded. The motion was put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. That the development shall be in complete accordance with the amended plans, received by the Authority 18 February 2019.**
- 2. The full length glazed opening to the cellar area shall be reduced in scale, to be agreed in writing with the Authority**
- 3. The door to the west gable shall be provided with a simple gritstone lintel, not a full surround, details of the door to be reserved by condition for approval in writing with the Authority**
- 4. All new stonework to be natural limestone to match the existing**
- 5. Pointing to be recessed**
- 6. Quoins, door lintels, window surrounds and mullions to be natural gritstone**
- 7. Roof to be re-clad in Hardrow slates**
- 8. Verge detail**
- 9. All pipework internal except for rainwater goods**
- 10. Rainwater goods black cast metal and fixed to stonework on brackets**
- 11. New windows and doors timber and recessed same depth as existing**
- 12. Agree details of a landscaping scheme for the boundaries and definition of the existing residential curtilage using base mapping, with planning permission required for any extensions of curtilage**
- 13. All window sizes to be submitted for checking and approval by the Authority.**

14.33 Cllr A McCloy left the meeting.

38/19

FULL APPLICATION - TWO STOREY EXTENSION TO THE REAR ELEVATION, WITH GROUND FLOOR PORCH TO THE FRONT ELEVATION, AT 1 WOODLAND VIEW, BUTTS ROAD, BAKEWELL

It was noted that Members had visited the site on the previous day.

The recommendation for approval subject to conditions was moved and seconded. The motion was put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory Time Limit.**
- 2. Build in accordance with the submitted plans, subject to the following conditions;**
- 3. All new stonework shall be faced, laid and pointed to match the existing dwelling.**
- 4. The roofs of the two-storey extension and the porch shall be clad with slates to match the existing dwelling.**
- 5. All new external doors & windows shall be of timber construction.**
- 6. All new door and window frames shall be recessed from the external face of the wall the same depth as existing frames.**
- 7. All window openings shall be provided with natural gritstone lintels and sills and all door openings provided with natural gritstone lintels.**
- 8. All rainwater goods shall match the existing in terms of size, texture and colour.**

39/19 FULL APPLICATION - DEMOLITION OF A SMALL SECTION OF THE EXISTING GARDEN WALL/HEDGE TO ALLOW THE WALL TO BE RE-BUILT (TO MATCH EXISTING) FURTHER BACK AND AMENDMENTS TO SURFACING AT THE COTTAGE, BUTTS ROAD, BAKEWELL

As this application and the following listed building application were linked it was agreed to consider both applications together (see also Minute 40/19).

It was noted that Members had visited the site on the previous day.

Members queried the use of granite cobbles and it was agreed to add a condition specifying limestone instead.

The recommendation for approval subject to conditions, including the extra condition, was moved, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory Time Limit.**
- 2. Construct in accordance with the amended plans, subject to the following conditions;**

3. **All new walling shall be laid and pointed to match the existing walling, with half round copings to be dry laid.**
4. **Privet hedge to be reinstated behind re-aligned walling.**
5. **Limestone to be used instead of granite cobbles.**

14:44 Cllr J Macrae left the meeting.

40/19 LISTED BUILDING CONSENT APPLICATION - DEMOLITION OF A SMALL SECTION OF THE EXISTING GARDEN WALL/HEDGE TO ALLOW THE WALL TO BE RE-BUILT (TO MATCH EXISTING) FURTHER BACK AND AMENDMENTS TO SURFACING AT THE COTTAGE, BUTTS ROAD, BAKEWELL

This application was considered in conjunction with the related planning application, details of which are in Minute 39/19 above.

It was noted that Members had visited the site on the previous day.

Members queried the use of granite cobbles and it was agreed to add a condition specifying limestone instead.

The recommendation for approval subject to conditions, including the extra condition, was moved, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Statutory Time Limit.**
2. **Construct in accordance with the amended plans, subject to the following conditions;**
3. **All new walling shall be laid and pointed to match the existing walling, with half round copings to be dry laid.**
4. **Privet hedge to be reinstated behind re-aligned walling.**
5. **Limestone to be used instead of granite cobbles.**

41/19 HEAD OF LAW REPORT - PLANNING APPEALS

Members considered the report on appeals which had been lodged, withdrawn and decided during the month.

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 3.00 pm