
MINUTES

Meeting: **Planning Committee**

Date: Friday 11 October 2019 at 10.00 am

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

Chair: Mr R Helliwell

Present: Cllr D Birkinshaw, Mr P Ancell, Cllr W Armitage, Cllr P Brady,
Cllr M Chaplin, Cllr D Chapman, Cllr I Huddleston, Cllr A McCloy,
Cllr Mrs K Potter, Miss L Slack, Mr K Smith and Cllr G D Wharmby

Apologies for absence: Cllr A Gregory and Cllr A Hart.

132/19 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 13 September 2019 were approved as a correct record.

133/19 CHAIRS ANNOUNCEMENT

The Chair welcomed Lydia Slack as a Member to her first Planning Committee Meeting, and to Jess Irwin who is currently doing work experience within the Development Management Service.

134/19 URGENT BUSINESS

There were no items of urgent business.

135/19 MEMBERS DECLARATIONS OF INTEREST

Item 8, 9 & 10

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

Item 11

It was noted that all Members knew Cllr Gill Heath, who had given notice to speak as a Member of the Authority.

Item 12

It was noted that all Members knew Cllr Gill Heath, who had given notice to speak as a Member of the Authority

136/19 PUBLIC PARTICIPATION

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

137/19 REPORT ON OBJECTION TO TPO 90/2019 - LAND BETWEEN SMITHY LANE AND CHURCH LANE, RAINOW GRID REFERENCE SJ953762 AND PROPOSAL TO MODIFY

The Chair brought forward Item 14 for consideration.

Felicity Stout, Tree Conservation Officer ('TCO') introduced the report, which was to consider an objection to an area tree preservation order TPO 90/2019 on land at Smithy Lane and Church Lane, Rainow and determine whether it should be confirmed with or without modifications. The objection referenced current government guidance in relation to 'Area' objections. The TCO after consideration of the objection proposed to modify TPO 90/2019 to make TPO 90/2019 a 2 group order rather than an area order as set out in the Modification Schedule 1 (Appendix 2) and Modification Plan (Appendix 3).

The recommendation to confirm TPO 90/2019 as modified was moved, seconded, put to the vote and carried.

RESOLVED:

- 1. That TPO 90/2019 be confirmed in its modified form with new Modification Schedule 1 (Appendix 2) and Modification Plan (Appendix 3).**

138/19 S73 APPLICATION - REMOVAL OF CONDITION 5 AND 7 ON APPEAL T/APP/L1046/A/87/07162/P2 AT QUARTERS FARM, BUXO PLAS MANUFACTURING LTD, QUARTERS LANE, HAZLEBADGE

The Planning Officer provided a single introduction to Items 6 & 7 but reminded Members that they would have to vote on each application separately. He then went onto update Members on an amendment to two of the conditions on Item 7, Condition 10, to read "Submit a scheme within 3 months" and Condition 5 to read "The dry limestone render on the block walls shall be maintained as a rendered finish" as the Conditions in the report were re-stated from the original permission.

The following spoke under the public participation at meetings scheme:-

Ms Lizzie Marrjoram, Legal Representative on behalf of Agent/Applicant.

In response to Members queries regarding landscaping, the Planning Officer reported that there had been a positive engagement with the applicant and the agent, and they were satisfied that in the coming months a scheme could be approved.

A motion for approval was moved and seconded.

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 and/or modifications.

- 1. The use hereby permitted shall be restricted to the building and the extension hereby approved and to no other building in the Quarters Farm farmstead group.**
- 2. There shall be no external storage of materials or goods in connection with the use hereby approved.**
- 3. The building and its extension shall be used for the development, production and storage of extruded plastic tubing and for no other purposes. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the use shall be limited to that specified in this condition and for no other purposes.**
- 4. Any new electricity supply cable to the building or extension hereby approved shall be provided underground.**
- 5. The use hereby permitted shall only be conducted between 6am and 8pm on weekdays and 8am and 6pm on Saturdays and at no time at all on Sundays, Bank or Public Holidays.**

139/19 S73 APPLICATION - REMOVAL OF CONDITION 10 ON NP/DDD/0613/0542 AND MODIFICATION OF S106 LEGAL AGREEMENT UNDER S106A TO REMOVE CLAUSES 2 AND 3 OF THE SECOND SCHEDULE AT QUARTERS FARM, BUXO PLAS MANUFACTURING LTD, QUARTERS LANE, HAZLEBADGE

This item was considered in conjunction with Item 6, details of which are in the minute138/19.

The speaker on Item 6 was asked if they wished to make any further comments with regard to this Item.

Ms Lizzie Marrjoram, Legal Representative on behalf of the Agent, provided an update regarding the landscaping concern that had been raised, and confirmed that further submissions were to be made in respect of landscaping, and that they had already been engaging with Officers.

The Officer recommendation to approve the application subject to amending Conditions 10 & 5 was moved, seconded, put to the vote and carried.

RESOLVED:

- 1. A. That the application be APPROVED subject to the following conditions and/or modifications and,**
- 2. B. That the S106 be varied to remove clauses 2 and 3 of schedule 2.**

1. The development hereby approved shall not be carried out otherwise than in complete accordance with the submitted plans and specifications numbered 1314-01 Rev A Proposed elevations; 1314-02 Rev A Proposed Block Plan; 1314-05 Existing & Proposed Floor Plan; and the amended drawings numbered Amended Site Plan and Amended Location Plan which were received by this office on 19 July 2013 subject to the following conditions and/or modifications:-
2. The building and its extension shall be used solely for purposes relating to the development, production and storage of extruded plastic tubing and for no other purposes. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the use shall be limited to that specified in this condition and for no other purposes.
3. The sheeting for the doors, walls and roof of the extension shall be factory colour-coated to BS 5252 Ref. No. 12 B 29 (dark green) and thereafter the sheets shall not be repainted or replaced other than that colour without the prior written approval of the National Park Authority.
4. All external timberwork shall be stained dark brown or black and shall be permanently so maintained.
5. The dry limestone render on the block walls shall be maintained as a rendered finish.
6. There shall be no external storage of materials or goods in connection with the development hereby permitted.
7. Notwithstanding the details shown on the approved plans a detailed scheme for landscaping (including tree planting, drystone and retaining walling and any structures which shall be faced in rubble limestone as necessary) shall be submitted to and approved in writing by the National Park Authority within 2 months of the date of this permission being granted. Once approved, the planting or seeding shall be carried out to the reasonable satisfaction of the Authority within the first planting seasons following completion or occupation of the extension. Any trees dying, being severely damaged or becoming seriously diseased shall be replaced within the next planting season with trees of an equivalent size and species or in accordance with an alternative scheme agreed in writing by the Authority before any trees are removed.
8. Prior to the disposal of any spoil arising from the works, precise details of the disposal shall be submitted to and approved in writing by the National Park Authority. All spoil shall then be disposed of in accordance with the approved details.
9. The use hereby permitted shall only be conducted between 6am and 8pm on weekdays and 8am and 6pm on Saturdays and at no time at all on Sundays, Bank or Public Holidays.

10. To submit a scheme for external lighting within 3 months of the date of this permission being granted to be approved in writing by the National Park Authority. The development shall then be carried out in accordance with the approved details and permanently so maintained.

140/19 FULL APPLICATION - TO WIDEN AN EXISTING 2.75 METRE GATEWAY TO 4.58 METRES IN ORDER TO IMPROVE ACCESS FOR FARM MACHINERY NEAR OLD HALL FARM, UNNAMED ROAD FROM ROAD LEADING TO TUNSTEAD TO GLEBE FARM, WORMHILL

The Chair brought forward Item 13, for consideration as the speakers had not arrived for the next item.

The Head of Development Management introduced the item and confirmed that the existing gate posts would be re-set and that no trees would be removed to create the new access.

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. 3 year implementation period.
2. Development to be carried out in accordance with specified plans.
3. Original stone gate posts to be retained and reused for the improved access.
4. No removal of trees
5. Surface within the highway to stay as existing
6. Advisory footnote re; Contact with Highway Authority regarding coordinating works adjacent to the highway.

141/19 HEAD OF LAW REPORT - PLANNING APPEALS

The Chair brought forward Item 16 as the speakers had not arrived for the next Item.

The Head of Development Management updated Members on the appeals that had been lodged, withdrawn and decided upon over the last month. She also informed Members that a letter had been received from the Ministry of Housing, Communities and Local Government to confirm that the Authority would not be designated as a poorly performing Planning Authority, and that she would be bringing a performance report to the Planning Committee in November.

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

RESOLVED:-

That the report be received.

**142/19 MONITORING & ENFORCEMENT QUARTERLY REVIEW - OCTOBER 2019
(A.1533/AJC)**

The Chair brought forward Item 15 as the speakers had not arrived for the next Item.

The Monitoring and Enforcement Team Manager, introduced the report and updated Members on the current enforcement cases as well as breaches that had been investigated and actioned over the last quarter. He reported that the targets set were on track and in some cases would be exceeded.

The Head of Development Management explained that additional resources had been allocated to the Monitoring & Enforcement Team over the last year; a two-year fixed term, full time post at senior level which had helped to resolve some of the bigger enforcement cases, and a permanent part time senior post, which had helped to resolve some of the back log of breaches relating to listed building enforcement issues.

The Monitoring and Enforcement Team Manager then showed a number of photographs, including case ref: 16/0022 (Land North of Main Road, Taddington) where an enforcement notice had been issued, several 'before and after' photographs of completed cases and some cases where a decision had been taken not to pursue enforcement action.

Members welcomed the report and congratulated the Monitoring and Enforcement Team on the performance figures

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

RESOLVED:

That the report be noted.

**143/19 FULL APPLICATION - RESIDENTIAL CONVERSION OF STONE BARN AT
ASHBOURNE ROAD, WETTON**

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

The Planning Officer introduced the report, and confirmed that the parking/garden area for the proposed house, would be contained within the curtilage of the building, and would be masked by trees and would not have any visual impact.

The following spoke under the public participation at meetings scheme:-

Mr Ben Garstang, Applicant and Mr Rory Bradford, Agent shared the speaking allocation

Members considered that the proposal would conserve the character of the heritage asset but asked whether the hardstanding area was needed. The Planning Officer confirmed that officers had received amended plans and the hardstanding had now been removed..

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. 3 year implementation time limit
2. Adopt amended plans
3. Barn to be converted within its shell with no rebuilding.
4. Remove permitted development rights for alterations, extensions, outbuildings, gates, fences, walls, satellite dishes and solar panels.
5. Restrict domestic curtilage to the enclosed area immediately to the west of the barn only.
6. Written Scheme of Investigation for a Level 2 building recording scheme to be submitted, agreed and implemented.
7. Full details of windows and doors including final finish to be submitted and agreed.
8. Hard and soft landscaping scheme to be submitted and agreed including details of any changes to levels within the domestic curtilage and details of screen wall to oil tank.
9. No external lighting to the east elevation of the barn. A scheme of lighting to be submitted and agreed.
10. Details of bin store area to be submitted and agreed.
11. Rainwater goods to be cast iron and painted black.
12. Flue pipe to be painted back at the time of erection and permanently so maintained.
13. Windows and doors to be recessed by 100mm (approx. 4inches) from the front face of the wall.
14. New openings to be provided with natural limestone lintels and cills to match those on the adjacent windows.
15. Doorways to east elevation (to hallway and study) to be fixed closed in the manner shown on the approved plans prior to occupation and shall remain fixed closed in perpetuity.
16. Recommendations in section 5 of the submitted 'Bat and Barn Owl Survey and Report' (dated 11/08/2019) to be fully adhered to.

17. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound and porous material between carriageway edge and site boundary in accordance with the approved plans.
18. Visibility splays to be provided and maintained.
19. Parking and turning areas to be provided and maintained.
20. Submit and agree Scheme of Environmental Management Measures
21. Submit and agreed details of sewage treatment arrangements.

The meeting adjourned for a break at 11.15 and reconvened at 11:22.

144/19 FULL APPLICATION - CONVERSION OF TRADITIONAL STONE BARN TO SHORT TERM HOLIDAY ACCOMMODATION, FIELD BARN, ASHBOURNE ROAD, WETTON

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

The Planning Officer introduced the report and informed Members that although the external alterations proposed were sensitive using the existing openings, insufficient information to properly assess the internal character of the building had been received.

The following spoke under the public participation at meetings scheme:-

Mr Rory Bradford, Agent

Members considered that although the barn is a heritage asset at risk of deterioration, the proposed conversion would harm the qualities of the barn and the landscape due to its isolated position outside the village.

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 development would result in domestication of the landscape in this location, harming its agricultural character, contrary to policies L1 and DMC3, and to paragraph 172 of the NPPF.
2. Insufficient information has been provided to demonstrate the significance of the building and how any identified features of value will be conserved and where possible enhanced, contrary to policy DMC5 and the guidance within the NPPF.

145/19 FULL APPLICATION - CONVERSION OF BARN TO ONE OPEN MARKET DWELLINGHOUSE AND ONE AFFORDABLE DWELLINGHOUSE - BARN AT CARR LANE, WETTON

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

The following spoke under the public participation at meetings scheme:-

Mr Rory Bradford, Agent

The Planning Officer introduced the report.

Although Members agreed that affordable housing was needed to keep villages sustainable, there was concern that the proposal would impact on the landscape and the character of the medieval field strip system.

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 development would result in alterations to the building and domestication of the building's setting that would harm its historic agricultural character, contrary to policies L3, DMC3 and DMC10. This harm is judged to outweigh the public benefits of the development, meaning that it is also contrary to policy DMC5 and to paragraphs 172 and 197 of the NPPF.**
- 2. The development would result in harm to the historic agricultural character to the Wetton Conservation Area contrary to policies L3, DMC3 and DMC8. This harm is judged to outweigh the public benefits of the development, meaning that it is also contrary to policy DMC5 and to paragraph 172 and 196 of the NPPF.**
- 3. The development would result in domestication of the landscape in this location, harming its agricultural character, contrary to policies L1 and DMC3, and to paragraph 172 of the NPPF.**

146/19 FULL APPLICATION - CONVERSION OF BARN TO ONE OPEN MARKET DWELLINGHOUSE AND ONE AFFORDABLE DWELLINGHOUSE AT ROCHE GRANGE FARM, MEERBROOK

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

The Planning Officer introduced the report and informed Members that although the proposal would conserve and enhance the building, there was however a concern that the introduction of 2 new houses, which would be totally separate from the wider farm, would not be compatible with agricultural activities at the site, and that the farming activities could lead to conflict between residential use and the agricultural use of the farm.

The following spoke under the public participation at meetings scheme:-

Cllr Gill Heath, Supporter
Ms Valerie Hulme, Applicants Daughter

Members considered that there was a way forward, and that the application should be deferred to allow for more discussions with the applicant.

A motion to defer the application to allow for further discussions with the applicant regarding details on parking, the layout and form of the frontage of the property, green measures, sub division of the parcel of land at the rear, replacement of the barn and a Section 106 agreement to secure the property as affordable housing was moved and seconded, put to the vote and carried.

RESOLVED:

To DEFER the application to allow the Officers more discussion with the applicant regarding details on parking, the layout and form of the frontage of the property, green measures, sub division of the parcel of land at the rear, the replacement of the barn and a Section 106 agreement to secure the property as affordable housing.

147/19 FULL APPLICATION - CONSTRUCTION OF AGRICULTURAL WORKERS DWELLING AT MANIFOLD FARM, BUXTON ROAD, WETTON

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

The Planning Officer introduced the report, and informed Members that although there was agreement that there was a need for an agricultural dwelling, as the worker currently lived in rented accommodation in the village, and there is doubt about this accommodation remaining available, there was concern that the development would have an impact on the landscape. The Planning Officer informed Members that other locations had been explored with the applicant, but that no suitable location had been found.

The following spoke under the public participation at meetings scheme:-

Cllr Gill Heath, Supporter
Mr Craig Barks, Agent

Members asked whether further excavation and placing the building at a lower level with additional tree planting, could address the landscape impact concerns The Planning Officer reported that tree planting with mature trees would take time to become established and that the building would add development into an undeveloped landscape.

The Committee voted to agree to continue the meeting beyond 3 hours in accordance with Standing Order 1:10

A motion to defer the application to allow the Authority further information to be provided by the applicant regarding siting and lowering of the dwelling, alternative locations, relocation of slurry store and purchasing adjacent land was moved and seconded, put to the vote and carried.

RESOLVED:

To DEFER the application to allow the Authority further information to be provided by the applicant regarding siting and lowering of the dwelling, alternative locations, relocation of slurry store, purchasing adjacent land and landscaping.

Cllr Ian Huddleston left the meeting at 12:45 and returned at 12:50.

The meeting ended at 1.20 pm