
MINUTES

Meeting: **Planning Committee**

Date: Friday 10 September 2021 at 10.00 am

Venue: Agricultural Business Centre, Agricultural Way, Bakewell, DE45 1AH

Chair: Mr R Helliwell

Present: Cllr W Armitage, Cllr A Hart, Cllr A McCloy, Cllr Mrs K Potter,
Cllr K Richardson and Mr K Smith.

Cllr C Greaves, Cllr D Murphy and Cllr Mrs J Wharmby attended to observe only.

Apologies for absence: Cllr P Brady, Cllr D Chapman, Ms A Harling, Cllr I Huddleston,
Cllr S Saeed and Mrs C Waller .

85/21 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr A McCloy, Mr R Helliwell and Mr K Smith had all received emails regarding this item.

Item 8

All Members declared an interest as this was an application on behalf of the National Park Authority.

Item 11

Cllr A McCloy, Mr R Helliwell and Mr K Smith had all received emails regarding this item.

86/21 MINUTES OF PREVIOUS MEETINGS OF 11TH JUNE 2021 (ATTACHED) AND 6TH AUGUST 2021 (WERE TO FOLLOW, NOW ATTACHED)

The minutes of the meeting of the Planning Committee held on 11 June 2021 were approved as a correct record.

The minutes of the last meeting of the Planning Committee held on 6 August 2021 which were circulated following publication of the agenda and tabled at the meeting were approved as a correct record.

87/21 URGENT BUSINESS

There was no urgent business.

88/21 PUBLIC PARTICIPATION

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

89/21 FULL APPLICATION - ERECTION OF A CATTLE SHED - WHITE PARK, ALSOP ROAD, PARWICH (NP/DDD/0521/0559, MN)

Members had visited the site on the previous day.

The Planning Officer introduced the item outlining the application as set out in the report. The agricultural need was supported but refusal was recommended due to the archaeological and landscape impact. Officers had recommended that a suitable site within the area of current buildings would be more suitable. Some work had already begun on the site but had ceased whilst planning permission was sought.

The following spoke under the Public Participation at Meetings scheme:

- Mr Stuart Chambers, Neighbour and Supporter
- Sir Richard Fitzherbert, Derbyshire Dales District Councillor for the Dovedale and Parwich Ward, Supporter
- Mr Ben Chadfield, Applicant

Members were minded to support approval for the application due to the large excavation of soil needed to build in the vicinity of the other agricultural buildings and the environmental impact of removing the soil. Members felt that the proposed location was suitably screened from the road by trees already in place and that the view from the footpath was not sufficiently harmed.

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

The planning officer suggested the following conditions:

1. 3 year limit for implementation
2. Development in accordance with submitted plans and specifications.
3. The building would only be used for agricultural purposes.

Members asked for consideration to be given to the impact of Ash Dieback on the trees screening the development from the road.

An additional condition was recommended:

4. A landscape scheme to be submitted and agreed with a timetable of implementation.

RESOLVED:

To APPROVE the application contrary to Officer recommendation and subject to the following conditions:

1. 3 year limit for implementation

2. Development in accordance with submitted plans and specifications.

3. The building would only be used for agricultural purposes.

4. A landscape scheme to be submitted and agreed with a timetable of implementation

90/21 FULL APPLICATION - INSTALLATION OF 2 AIR SOURCE HEAT PUMPS AT THE BLIND BULL, MAIN ROAD, LITTLE HUCKLOW (NP/DDD/1220/1148, AM)

Members had visited the site on the previous day.

The Planning Officer introduced the item including the reasons for refusal as set out in the report. This was a retrospective application as the work had already been completed in the garden of the Grade II* listed manor house.

A late representation from the Parish Council in support of the application had been received and this was summarised by the Planning Officer.

The Planning Officer confirmed that there were other instances of unauthorised development on the site, including a separate air source heat pump associated with the manor house and fencing but that these were being dealt with separately .

Officers had concluded that the harm to the grade II* listed building outweighed the benefit of energy saving provided by the air source heat pumps and therefore the benefit to the public.

The following spoke under the Public Participation at meetings scheme:

- Sir Richard Fitzherbert, Chair of Visit Peak District & Derbyshire Tourist Board
- Mr Raab Dykstra-McCarthy, Applicant

It was noted that it was the legal responsibility of the Authority to look after heritage assets such as the manor house and that an alternative location for the pumps would be preferred.

No noise assessment had been carried out regarding the sounds from the pumps and therefore after hearing from the Applicant, Members determined that this could not be a consideration of the refusal for the application.

The Planning Officer confirmed that the Applicant had indicated a willingness to work with Officers and discussions would be held with the Applicant to look at alternative sites in conjunction with the Authority's specialists.

A motion to refuse the application in line with the amended Officer recommendation was moved and seconded.

The Planning Officer confirmed that if Members were minded to approve the application a report would need to be submitted to a future committee for discussion.

The motion to refuse the application in line with Officer recommendation as amended by removal of the ground relating to noise was voted on and tied, the Chair used his casting vote and the motion was carried.

Cllr Mrs K Potter requested that her vote against the motion be recorded.

RESOLVED:

To REFUSE the application for the following reasons:

1. **The development would harm the setting of the Manor House a Grade II* listed building and harm the Little Hucklow Conservation Area. The public benefits of allowing the development would not outweigh this harm. The proposed development is therefore not in accordance with policies GSP3, L3, CC2, DMC3, DMC5, DMC7 and the National Planning Policy Framework.**

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

91/21 FULL APPLICATION - ERECTION OF MIXED USE GARAGE, OFFICE, WORKSHOP AND STORAGE BUILDING ASSOCIATED WITH MOORLANDS FARM AT MOORLANDS FARM, MOORLANDS LANE, FROGGATT. (NP/DDD/0421/0431 SPW)

Members had visited the site on the previous day.

The Planning Officer introduced the item. Planning Approval had been granted in 2017 but that had now expired, the new application had slight amendments to the original but Officers were happy to approve the changes and grant new permission.

A motion to approve the application in line with the Officer recommendation was moved and seconded.

Members requested that an additional condition be added regarding lighting. Officers suggested the following condition:

- No external lighting other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Authority.

The Members that had moved and seconded the approval agreed with the additional condition.

The motion to approve the application in line with Officer recommendation subject to the additional condition was voted on and carried.

RESOLVED:

To APPROVE the application in line with the Officer recommendation and subject to the following conditions:

1. **The development hereby permitted shall be begun within 3 years from the date of this permission.**
2. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: drawing numbers '01' Rev B and '02' Rev C, PL_02A and specifications, subject to the following conditions or modifications:**
3. **Prior to the first occupation of the development hereby approved a detailed scheme for landscaping (including tree and shrub planting) shall be submitted to and approved in writing by the National Park Authority. Once**

approved, the planting shall be carried out within the first planting seasons following completion or occupation of the development. 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.

4. Notwithstanding the approved plans, prior to the installation of the glazed vehicular door to the south elevation, full details of the door and glazing shall be submitted to and approved in writing by the National Park Authority. The details shall provide for 'hit and miss boarding' with vertically boarded timber with single recessed glazed panels between in a repeating pattern. The development thereafter shall not be carried out other than in complete accordance with the approved plans and shall be permanently so maintained thereafter.
5. All door openings shall be provided with natural gritstone lintels and all window openings shall be provided with natural gritstone lintels and cills.
6. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
7. The roof verges shall be flush cement pointed, with no barge boards or projecting timberwork.
8. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, (or any order revoking and re-enacting that order) the building hereby approved shall be used for a mixture of garaging, storage, office and studio as shown on approved plan drawing number '02' Rev C ancillary to Moorlands Farm and for no other purposes. The development hereby approved and the existing dwelling shall be retained as a single planning unit.
9. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that order) no alterations to the external appearance of the building hereby approved shall be carried out without the National Park Authority's consent.
10. The garages shall remain available for use for garaging of vehicles at all times.
11. No external lighting other than in accordance with a detailed scheme that shall first have been submitted to and approved in writing by the Authority.

92/21 FULL APPLICATION - RETAIN THE 20 FOOT SHIPPING CONTAINER WHICH HAS HAD TEMPORARY PLANNING PERMISSION SINCE 2018. THIS CONTAINER WILL CONTINUE TO BE USED FOR SECURE STORAGE, UNITED UTILITIES BOTTOMS YARD, WOODHEAD ROAD, TINTWISTLE (NP/HPK/0221/0156 SPW)

The Planning Officer introduced the item.

The container had originally been given temporary planning permission in February 2018 to provide storage for a project for a period of three years. The application was for an extension until February 2024 to cover time lost due to the COVID pandemic.

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

RESOLVED:

To APPROVED the application subject to the following conditions or modifications:

- 1. This permission shall be for a limited period expiring on 1 February 2024. On or before that date the building shall be permanently removed from the land and the site shall be reinstated to its former condition.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the original submitted plans 'greenclimber2' and specifications.**
- 3. The dimensions of the container hereby approved shall be limited to 6m x 2.4m x 2.6m.**
- 4. The container shall be maintained dark green.**

93/21 WITHDRAWAL OF BAKEWELL NEIGHBOURHOOD PLAN (AM)

The item was brought forward on the agenda to allow speakers to arrive for later items.

The report was introduced by the Policy & Communities Team Manager who confirmed that all statutory procedures had been completed but that modifications made by the Examiner to the plan had changed the report to an extent that Bakewell Town Council felt they could not proceed; therefore they were asking to withdraw it.

There were four main reasons for the withdrawal:

1. Use Class Order – national changes to permitted development arose very late in the creation of the neighbourhood plan and would impact on the town centre policy.
2. Designated Green Areas – these had been identified by residents of Bakewell as 'of value' to protect the sites from future development, the examiner had stated that these areas be treated as Green Belt which changed the level of protection against development.
3. Removal of list of Heritage Assets – the plan included a list of non designated/unlisted heritage assets which the examiner had removed.
4. Flat land use for special needs housing – this related to flat land in the town centre, the examiner removed this section of the plan.

There was a mechanism for the National Park Authority to challenge the examiner but Bakewell Town Council had decided not to take that route.

The evidence collected by the Town Council in the process of preparing the plan would remain useful to the Authority during the Local Plan Review.

Members requested that the issues raised relating to the variance in the Examiners conclusions compared with those for other Neighbourhood Plans be raised with the Planning Inspector. The Head of Planning agreed to raise the issue of inconsistency on behalf of the Authority.

A motion to accept the recommendations as set out in the report was moved, seconded, put to the vote and carried.

RESOLVED:

- 1. To accept Bakewell Town Council's request to withdraw the neighbourhood plan.**
- 2. To approve the withdrawal statement for publication.**

94/21 FULL APPLICATION - NEW AFFORDABLE DWELLING - LAND OFF TAGG LANE, MONYASH (NP/DDD/0121/0073, TS)

A revised copy of the report which contained as an Appendix the original report considered by Members at a previous Planning Committee was introduced by the Head of Planning. The application had been discussed at the meeting on 25 June 2021 where Members were minded to approve the application in a departure from policies and as such, under standing orders it was necessary to return to Planning Committee to explore the issues and the harm the development would cause to a heritage asset.

The Head of Planning explained that it had been the process for reports of this nature in the past to be presented to a full Authority Meeting but changes had been approved by Members to Standing Orders and it was now the responsibility of the Planning Committee to explore the impact of the decision to approve the application on the Authority's Policy.

The Head of Planning outlined the main issues with the application including landscape, heritage asset, size of the proposed building and that the Applicant had refused to update their housing needs assessment to reflect changes to their personal circumstances since the previously submitted assessment was carried out. Planning Officers had offered to work with the Applicant to identify an alternative location but the Applicant had declined to do so.

The following spoke under the Public Participation at meetings scheme:

- Mr Wooley, Applicant

A motion to approve the application contrary to Officer recommendation and policy on the grounds that's

- a) The benefits of providing this particular local needs housing, outweighed any harm to the Monyash Conservation Area.
- b) The housing need was sufficiently demonstrated so that the size of the house was appropriate notwithstanding policy DMH1
- c) The Applicant has demonstrated that they are in proven housing need for a dwelling as their existing accommodation was unsuitable.

Officers expressed their disappointment that Members were not minded to discuss the policy issues raised by the application. Conditions would need to be applied along with a S106 agreement relating to local occupancy and affordability.

Proposed conditions:

1. 2 year time limit
2. In accordance with agreed plans
3. Agreement to be reached on materials used
4. Services to run underground over the applicants land
5. In accordance with Highways recommendations
6. Consideration of sewerage treatment
7. A written scheme of archaeological investigation to be carried out
8. Detailed landscape scheme

The motion to approve the application contrary to Officer recommendation and policy, subject to a Section 106 agreement and conditions was voted on and carried.

RESOLVED:

To APPROVE the application contrary to Officer recommendation and policy subject to a Section 106 agreement relating to local occupancy and affordability and the following conditions:

1. **2 year time limit**
2. **In accordance with agreed plans**
3. **Agreement to be reached on materials used**
4. **Services to run underground over the applicants land**
5. **In accordance with Highways recommendations**
6. **Consideration of sewerage treatment**
7. **A written scheme of archaeological investigation to be carried out**
8. **Detailed landscape scheme**

95/21 FULL APPLICATION - ERECTION OF LOCAL NEEDS DWELLING - LAND AT CHAPEL FARM, HEATHCOTE - (NP/DDD/0121/0083, MN)

Cllr J Wharmby who was observing the meeting left prior to discussion of this item.

A revised copy of the report which contained as an Appendix, the original report considered by Members at a previous Planning Committee was introduced by the Head of Planning. The application had previously been considered at the Planning Committee on the 11th June at which Members had indicated that they were minded to approve the application contrary to the Officer recommendation and as a significant departure from policies. As such, under standing orders it was necessary to return to Planning Committee to explore the issues raised by the proposed decision.

The Head of Planning explained that it had in the past been the process for reports of this nature to be presented to a full Authority Meeting but changes approved by Members had taken place to Standing Orders and it was now the responsibility of the Planning Committee to explore the impact of the decision to approve the application on the Authority's Policies.

The Head of Planning noted that there were not significant, exceptional circumstances which would warrant the approval of an application contrary to strategic policy DS1.

A motion to refuse the application in line with the Officer recommendation was moved, seconded, voted on and lost.

A motion to approve the application contrary to Officer recommendation and Policy and subject to conditions including a S106 agreement relating to local occupancy and affordability was moved and seconded.

The Planning officer suggested that conditions should include:

1. 2 Year time limit
2. In accordance with agreed plans
3. Landscaping
4. Design Details

It was agreed that the full list of conditions would be delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee.

The Chair of the Committee requested that Members provide details of the material considerations which outweighed policy DS1 in this particular case.

Members suggested that agricultural need could be considered but Officers confirmed that the application was not for a farm worker's dwelling and that matter therefore carried little weight. A farm worker's dwelling would be a materially different development so would have needed to be considered under a different planning application. Therefore Members considered that in the particular local circumstances, of this application the unmet need for a new affordable home, both now and for future generations which to a small but not insignificant extent, helps local farming communities remain vibrant and thriving and further helps prevent the involuntary drift of local people out of a community, and helps families to stay together.

The motion to approve the application subject to a S.106 agreement relating to local occupancy and affordability and with conditions delegated to the Head of Planning in consultation with the Chair and Vice Chair of the Committee, contrary to Officer recommendation and to Policy DS1 was voted on and carried.

RESOLVED:

That the application be APPROVED subject to a S.106 agreement relating to local occupancy and affordability with conditions delegated to the Head of Planning in consultation with the Chair and Vice Chair of the Committee, contrary to Officer recommendation and Policy DS1.

Because the particular local circumstances of this application, the unmet need for a new affordable home, both now and for future generations which to a small but not insignificant extent, helps local farming communities remain vibrant and thriving and further helps prevent the involuntary drift of local people out of a community, and helps families to stay together comprised material considerations which outweighed policy DS1 in this particular case.

A vote to continue the meeting past three hours was carried.

The meeting adjourned for a short break at 13.00 and reconvened at 13.05. Cllr A Hart left the meeting.

96/21 HOUSEHOLDER APPLICATION - PROPOSED EXTENSION OF DWELLING AT JUBILEE LODGE, THE GREEN, FROGGATT, S32 3ZA (NP/DDD/0621/0615 JK)

Members had visited the site on the previous day.

The Planning Officer introduced the item. Approval had previously been granted for an extension in 2009 which was considered to be an improvement to the property but work had only partly commenced on that approval and this application was for a larger extension to that approved in 2009.

A similar scheme had been refused under delegated powers in early 2021 and some changes had been made to the plans in this latest application..

The structure was a non-traditional building with several extensions added at various times. The application to extend again was an opportunity to enhance the appearance but the current scheme but did not meet with design guidance regarding scale and mass.

The Planning Officer asked for updates to be noted on page 97 of the report where the word 'not' had been missed from the last sentence of paragraph 99 and page 94, paragraph 68 only policy L1(a) was relevant to this report.

The following spoke under the Public Participation at Meetings Scheme:

- Mr John Youatt, Supporter
- Mr Nigel Anderson, Supporter
- Mr Philip Hardwick, Brother of the Applicant, Supporter

The Planning Officer confirmed that no response had been received from the Parish Council regarding the application.

Members felt that the present application had a negative impact on the host building, unlike the application in 2009.

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

RESOLVED:

That the application be REFUSED for the following reason

The scale, massing and design of the extensions are not subservient to the host property. They would represent a dominant and intrusive form development which would detract from the host dwelling and cause harm the character and appearance of the street scene, the landscape setting and the significance of designated Froggatt Conservation Area contrary to Core Strategy policies GSP1, GSP3, L1 and L3, Development Management policies DMC3, DMC5, DMC8 and DMH7 our adopted design guide Supplementary Planning Document and the National Planning Policy Framework.

The meeting adjourned for lunch at 13:44 and reconvened at 14.15.

97/21 APPROVAL OF HOLME VALLEY NEIGHBOURHOOD PLAN TO SUBMIT FOR REFERENDUM (AM)

The report was introduced by the Policy & Communities Manager who confirmed that the plan referred to an area which partly came under Kirklees Council who had already approved the plan.

A motion to approve the plan as per Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

That Members, in accordance with paragraph 12 of Schedule 4B of the 1990 Town and Country Planning Act:

- 1. Approved that following the inclusion of the Examiner's recommended modifications into the Plan (as set out in Appendix 1 of the report), the Plan meets the basic conditions such that it can proceed to a referendum;**
- 2. Approved publication of a formal decision statement detailing the Authority's response to the Examiner's recommendations (Appendix 2 of the report);**
- 3. Determined that the referendum boundary will cover the designated Holme Valley Neighbourhood Area only.**

98/21 DORE NEIGHBOURHOOD PLAN (CW)

The Policy & Communities Manager introduced the report and confirmed that part of the area covered by the plan fell into the Sheffield City Council boundary and that the Council would be considering the Plan on 8 October 2021.

A motion to move the recommendation as set out in the report was moved, seconded, put to the vote and carried.

Officers confirmed that the discussion at Sheffield City Council was a formality as the Plan had been through the appropriate process, including a referendum, and the Council were legally obliged to make the Plan.

RESOLVED:

That the Committee makes Dore Neighbourhood Plan thus forming part of the statutory development plan for Dore Neighbourhood Area and the Peak District National Park.

99/21 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

The Committee considered the monthly report on planning appeals lodged, withdrawn and decided.

RESOLVED:

To note the report.