
MINUTES

Meeting:	Planning Committee
Date:	Friday 11 February 2022 at 10.00 am
Venue:	Aldern House, Basow Road, Bakewell, DE45 1AE
Chair:	Mr R Helliwell
Present:	Mr K Smith, Cllr P Brady, Cllr D Chapman, Cllr A Hart, Cllr A McCloy, Cllr Mrs K Potter and Cllr D Murphy
Apologies for absence:	Cllr W Armitage, Ms A Harling, Cllr I Huddleston, Cllr K Richardson and Cllr J Wharmby.

9/22 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS' DECLARATIONS OF INTEREST

Item 5

Members had received an email from Caroline McIntyre (Agent) and two speakers were known to all Members as they are Members of the Authority (Cllr Priestley & Cllr Farrell)

Item 6

Members had received an email from Helen Ibbotson (Agent). Cllr David Chapman declared a personal and prejudicial interest as the applicant was a close friend and would leave the room during discussion of this item.

Item 8

Mr Robert Helliwell and Cllr David Chapman both declared a personal and prejudicial interest as personal friends of the applicant and would leave the room during discussion of this item.

10/22 MINUTES OF PREVIOUS MEETING HELD ON 14TH JANUARY 2022

The minutes of the last meeting of the Planning Committee held on the 14th January 2022, were approved as a correct record.

11/22 URGENT BUSINESS

There was no urgent business.

12/22 PUBLIC PARTICIPATION

10 members of the public were present to make representations under the Public Participation at Meetings Scheme.

13/22 FULL APPLICATION - RE-ESTABLISHING THE MARQUIS OF GRANBY, PROVIDING 21 OPEN MARKET APARTMENTS (USE CLASS C3) WITH CAR PARKING AND LANDSCAPING, INCLUDING CIRCA 2.1 ACRES OF WOODLAND/GRASS AREA AT MARQUIS OF GRANBY, HATHERSAGE ROAD, SICKLEHOLME, BAMFORD (NP/HPK/0821/0890, AM)

Members had driven past and observed the site on the previous day.

The report was introduced by the Planning Officer, and was recommended for refusal as set out in the report. Planning Permission had previously been granted for a hotel on the site but the new application was for open market housing and therefore required a new application.

Correspondence has been received after the completion of the report as follows:

One letter in support had been received from the head of Bamford Primary school

- Support building of family homes on the site.
- School roll is in decline with unused capacity. The school recently reduced the number of classes from four to three.
- Pleased that the plans include a play area.
- Concern that the plans would appeal to the retiree market and not families – or be used for holiday lets. A scheme similar to the new estate at Bradwell would have been more likely to bring families to the local area or cater for local need.

One letter objects

- The site is particularly well suited to providing some affordable housing the location is highly appropriate i.e. close to facilities and public transport.

An email had been received from the Clerk to Bamford Parish Council stating that a phone call had been received from the applicant enquiring what projects the PC might want to be funded. The answer was that there are several possibilities but that each was only discussed briefly.

New information from the applicant

Two letters had been received from the applicant's planning agent outlining the case for the proposed development and rebutting assessment and conclusions made in the committee report.

A letter from the applicant stated:

- The Parish Council would shortly purchase a plot of land off Joan Lane/ Brentford Close for use as allotments.

- This site had been considered suitable for affordable housing by the PDNPA and therefore could be used for affordable homes and allotments.
- The applicant offered a financial contribution of £100,000 towards affordable homes following the sale of the first 10 apartments on the development.

A further email from the applicant stating:

- If the financial contribution was not able to be immediately used for affordable homes then it could be retained for future use in Bamford or elsewhere.
- OR the contribution could be used towards other community projects such as
 - Off-street car park
 - Provision of a multi use games area.
 - Renovations of the Anglers Arms community pub.

The applicant's offer of a financial contribution would need to be secured by a S106 legal agreement. This can only be sought where the offer was necessary to make the development acceptable in planning terms, was directly related to the development; and fairly and reasonably related in scale and kind to the development.

The offer would not overcome the key concern that there was no justification for a major housing development on the site or that the development would harm landscape character.

The application proposed 100% market housing which was not supported by a viability assessment to test if the development could provide affordable housing on site or to justify the proposed financial contribution.

The late correspondence did not change the recommendation to refuse the application.

The following spoke under the public participation at meetings scheme:

- Cllr Ginny Priestley – On behalf of Bamford with Thornhill Parish Council – objector
- Cllr Charlotte Farrell – Ward Councillor – Objector
- Cllr Peter O'Brien – District Councillor
- Ms Caroline McIntyre – Planning Consultant
- Mr Matthew Hinckley – Owner

Members requested clarification on the suitability of the site for affordable housing as Officers had assessed the site as being outside the settlement of Bamford. DMH6 policy allows housing in line with Core Strategy policy HC1 on land that had been previously developed and in line with conditions.

Members considered the site to have a close relationship to Bamford and that it was in a sustainable location. Owing to the pressing need for affordable homes in the Hope Valley, Members asked that the applicant be approached regarding the development of affordable housing on the site.

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

A recommendation to amend reason 1 for refusal removing DS1 from the policies listed was put forward by Members and accepted by the mover and seconder of the motion.

A motion to refuse the application in line with the Officer recommendation and subject to the change in reason 1 was voted on and carried.

RESOLVED:

The application was refused for the following reasons:

- 1. The development would not be in the public interest and exceptional circumstances do not exist to justify the proposed major housing development. The proposed development is therefore contrary to policies GSP1, GSP2 and the National Planning Policy Framework.**
- 2. The development does not address local need for affordable housing contrary to policies HC1, DMH6 and the National Planning Policy Framework.**
- 3. The scale, design and character of the development would harm valued landscape character, as identified in the Landscape Strategy and Action Plan. The development is therefore contrary to policies L1, DMC1, DMC3 and the National Planning Policy Framework.**
- 4. Insufficient information has been provided to assess the impact of the development upon protected species and their habitat in and around the site contrary to policies L2, DMC11 and DMC12 and the National Planning Policy Framework**

14/22

FULL APPLICATION - FOR EXTENSION OF EXISTING GRITSTONE BARN AND DEMOLITION OF REDUNDANT AGRICULTURAL BUILDINGS TO FORM ONE DWELLING AT SHATTON FARM, SHATTON LANE, SHATTON (NP/HPK/0920/0874, AM)

Cllr D Chapman left the meeting due to a personal and prejudicial interest in this item.

Members had visited the site on the previous day.

The Planning Officer introduced the application. A previous application for the site had been approved and that approval was still valid. The new application had significant differences to the previously approved application and was recommended for refusal.

The following spoke under the Public Participation at Meetings Scheme:

- John Avill – statement read out by Helen Ibbotson
- Mr Bolton read out a statement on behalf of the applicant.

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

RESOLVED:

The Application was REFUSED for the following reason:

- 1. The proposed development would harm the character and appearance of the existing barn, the site and its surroundings and would harm the setting of the Grade II listed Nether Cottage contrary to Core Strategy policies GSP1, GSP2, GSP3, L3 and HC1; Development Management policies DMC3, DMC5, DMC7 and DMC10; the Authority's adopted design guide Supplementary Planning Document and the National Planning Policy Framework.**

The meeting was adjourned for a short break at 11.40 and reconvened at 11.45

15/22 FULL APPLICATION - DEMOLITION OF AGRICULTURAL BUILDINGS AND RESTORATION OF FIELDS, CONVERSION OF OUT BUILDING TO HOLIDAY LET. CHANGE OF USE FOR KEEPING HORSES STABLE AND MENAGE RIDING/ARENA AT MIDDLE FARM, WHESTON (NP/DDD/0720/0671 SPW)

Cllr D Chapman returned to the meeting.

The Planning Officer introduced the application which was in line with policy and would not have an adverse impact on the wider landscape.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Christian Bateman – Applicant

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

Members welcomed the restoration of the field system but asked for further discussion between the applicant and Officers regarding the buildings located outside the field system.

A motion to approve the application in line with the Officer recommendation and the conditions as listed in the report was voted on and carried.

RESOLVED

To APPROVE the application subject to the following conditions:

- 1. Standard time limit**
- 2. Carry out in accordance with specified amended approved plans.**
- 3. Holiday let conversion of the existing building, no rebuilding.**
- 4. Holiday let to have standard short let holiday let restriction and be ancillary and within the same planning unit as 'Middle Farm House'**
- 5. Remove permitted development rights from the holiday let**
- 6. Agree details, recess and finish of timber windows and doors (for holiday let)**
- 7. New stonework shall be natural limestone laid to match the existing with holiday let roof clad with natural blue slate.**
- 8. Cast metal RWGs painted black and installed on rise and fall brackets directly to the stonework without the use of fascia (for holiday let).**
- 9. Agree details of Conservation type rooflight fitted flush with the roofslope. (for holiday let).**
- 10. Remove permitted development rights for means of enclosure and no jumps (except within the riding arena).**

11. **No external lighting/flood lighting on/for the riding arena.**
12. **Submit and agree scheme of lighting for the site including stables.**
13. **Limit the change of use for the keeping of horses to the area outlined in red on the approved plan '117/E'.**
14. **Submit details of surfacing material for riding arena.**
15. **Submit details landscaping scheme for the riding arena.**
16. **Omit fences to the perimeter of the riding arena and replace with limestone drystone wall or a post and rail fence with mixed hedge outside.**
17. **The horse riding arena to be ancillary to and remain within the same planning unit as Middle Farm, for private use of the occupants only.**
18. **Limit stable for keeping of up to 3 horses only.**
19. **Submit details of spoil and waste removal from the demolition of the buildings and removal of the silage yard shall be permanently removed from the site and land in ownership**
20. **Notwithstanding what is shown on the approved plans, no approval is hereby granted for any outdoor amenity space for the holiday otherwise than in accordance with an amended scheme to be agreed showing space relocated within the bounds of the farmstead.**
21. **Footnote: re permission not providing any change of use of the existing agricultural buildings, or associated access and yard areas.**

16/22 FULL APPLICATION - PROPOSED AGRICULTURAL BUILDING EXTENSIONS TO STORE FODDER AND LIVESTOCK AT OLLERBROOK FARM, EDALE (NP/HPK/0621/0625, AM)

Cllr D Chapman and Mr R Helliwell left the meeting due to a personal and prejudicial interest. Mr K Smith took over the role of Chair.

Members had visited the site on the previous day.

The Planning Officer introduced the application which alongside the extensions also included amendments to the recently built agricultural building. The Officer requested an additional condition to specify the location of the new wall to replace the post and wire fence line for significant landscape conservation and screening benefits, and to add a reasonable time period to the condition.

Members supported the application and were pleased to see the use of PV tiles included in the application.

A motion to approve the application in line with the Officers recommendation and subject to the conditions set out in the report plus an additional condition regarding the location and building of a wall was moved, seconded, put to the vote and carried.

RESOLVED

That the application be APPROVED subject to the following conditions:

- 1. Statutory three year time limit.**
- 2. The development shall be carried out in accordance with specified amended plans and specification.**
- 3. No development shall commence until the root protection areas around all retained trees have been fenced off. No storage of plant, materials or spoil shall take place within the fenced area at any time and the fencing shall remain in place until all construction works are completed (including external landscape works).**
- 4. New tree planting shall be carried out within three months from the date of this permission. New drystone walling shall be completed before the completion or first use of the extensions hereby approved.**
- 5. The new drystone wall shall be natural gritstone to match the construction and height of the existing drystone wall to be demolished.**
- 6. The sheeting for the roof and walls at the time of erection be factory colour-coated to BS 5252 Ref. No. 18B29 (slate blue) and thereafter the sheets shall not be repainted or replaced other than that colour without the prior written approval of the National Park Authority.**
- 7. The south elevation external walls shall be clad in treated Yorkshire boarding and shall be permanently so maintained.**
- 8. The concrete panels to the south elevation external walls shall be clad with natural gritstone to match the existing building.**
- 9. The solar panels shall be installed before the completion or first use of the extensions hereby approved.**
- 10. The development hereby permitted shall not be used for the keeping of pigs or poultry at any time.**
- 11. 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 permitted shall not be used for any other purpose other than for purposes related directly to agriculture as defined by s.336 of the Town and Country Planning Act 1990, and subject to the restriction in Condition 10 above.**
- 12. When the building hereby permitted is no longer required for the purposes of agriculture it shall be dismantled, removed from the site and the site shall be restored to its former levels and condition as a grassed paddock.**
- 13. That the relocated dry stone wall be constructed along the line of the current post and wire boundary fence.**

17/22 HOUSEHOLDER APPLICATION - NEW BUILD DETACHED SINGLE GARAGE AT WHITE EDGE, THE BENT, CURBAR (374779.765539/425125.775417 - NP/DDD/1221/1330 JK)

Mr R Helliwell returned to the meeting and resumed as Chair. Cllr D Chapman also returned to the meeting.

The Planning Officer introduced the item and provided an update on two further letters of support which had been received after the publication of the report.

The following spoke under the public participation at meetings scheme:

- Mr Chris Simm – Applicant.

The motion to Approve the application in line with Officer recommendation and subject to the conditions as set out in the report was moved and seconded, put to the vote and carried.

RESOLVED:

To APPROVE the Application subject to the following conditions:

- 1. Commence development within three years.**
- 2. Carry out in accordance with specified approved plans**
- 3. Maintain garage space throughout lifetime of dwelling for the parking of a vehicle.**
- 4. Materials to match the main house.**
- 5. Minor detailed design conditions;**
 - Recess garage door 100mm.
 - Vertically ribbed or fluted garage door.
 - Dark painted or coated (e.g. a darker anthracite colour rather than the light grey specified on the submitted plans).

Cllr A Hart left the meeting at 12:35

18/22 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

This item was brought forward on the agenda to allow Officers to join the meeting.

The Head of Planning introduced the report and the Head of Law provided the Committee with an update on the Midhope Enforcement Appeal. The appellant had made an application to the High Court seeking permission to appeal against the Planning Inspector's decision of the 8th November 2021. However, the High Court had refused to grant permission. This meant that the Inspector's decision to dismiss the appeal and uphold the enforcement notice, with the specified variation to the requirements, stood.

RESOLVED

The report was Noted.

19/22 **PEAK DISTRICT NATIONAL PARK AUTHORITY DEVELOPMENT MANAGEMENT POLICY DMH1 PRACTICE NOTE (SW)**

The report was introduced by the Policy & Communities Team Manager who confirmed that the Practice Note had been drawn up in consultation with the Local Plans Steering Group and interested Members. Due to the need to produce the Practice Note as soon as possible there had only been limited consultation but wider consultation could take place as part of the introduction of a Supplementary Planning Document ('SPD').

The Local Development Plan discussions would include this item as it was recognised as a very important issue. Some discussion had taken place at the last meeting of that Group and the minutes of that meeting were to be presented to a future Authority Meeting.

The consultation on the Issues and Options for the Local Plan was expected to take place at the end of 2022.

Members were aware of the pressure to do more for affordable housing and stated that there was some ambiguity in the Practice Note and that there were still areas that were open to interpretation.

Members raised concerns regarding the use of DMH7 regarding the restrictions on extending affordable homes and felt that the Practice Note did not address these concerns. The restriction on the size of houses relating to the number of people who would occupy them was also raised as a concern. Members thought this may discourage applications for affordable houses.

Members did recognise that the Practice Note needed to be read in conjunction with other documents and that the introduction of the note was to provide assistance in the interpretation of existing planning policy (Core Strategy and Development Management Policies Document) which could not be changed outside of the ongoing statutory process of review.

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

A motion to approve the use of the DMP Policy in line with DMH1 Practice note with further consultation to take place with parishes was moved and seconded.

A suggestion of deferring the item was put forward but the Chair confirmed this was not a suitable action for this item.

A motion to amend the recommendation so that it included instructions to notify all applicants of Policy DMH7 at the start of the planning process was put forward and accepted by the mover and seconder.

A motion to approve the use of the DMP Policy Note with suggested amendments was voted on and carried.

Cllr P Brady requested that it be noted that he had voted against this item..

RESOLVED

To approve the use of the DMP Policy DMH1 Practice Note.

**20/22 MONITORING & ENFORCEMENT QUARTERLY REVIEW - FEBRUARY 2022
(A.1533/AJC)**

The Team Manager for Monitoring & Enforcement introduced the quarterly report and explained that originally it was intended to present the report in January. An update on staffing in the Monitoring & Enforcement Team was provided including the recruitment of two new members of staff who had now started work in the team.

The Team Manager referred to the Midhope Moors appeal which had been heard at a Public Inquiry in July 2021 and confirmed that there were two further Public Inquiries on enforcement cases due to take place in February and April 2022 and that these would require a lot of resource from the team and other Authority Officers.

Members commended the Monitoring & Enforcement Team for working with reduced resources. It was noted that there had previously been a Member Representative Role for Enforcement that no longer existed. The Head of Law explained that the decision to remove that role had been made following a review of the Member Rep roles by the member led Governance Working Group which had introduced the current Member champions roles which had been approved by the full Authority. Members now asked for this to be reinstated at the next Authority AGM.

A motion to note the report was moved, seconded, voted on and carried.

RESOLVED

To note the report

The meeting ended at 1.45 pm