
MINUTES

Meeting:	Planning Committee
Date:	Friday 6 October 2023 at 10.00 am
Venue:	Aldern House, Baslow Road, Bakewell
Chair:	Cllr P Brady
Present:	Cllr V Priestley, Cllr M Beer, Cllr M Buckler, Cllr M Chaplin, Cllr B Hanley, Cllr D Murphy, Cllr Mrs K Potter, Cllr K Richardson and Mr K Smith
Apologies for absence:	Cllr A Hart, Cllr L Hartshorne, Cllr I Huddleston, Cllr C O'Leary and Miss L Slack.

119/23 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS DECLARATIONS OF INTEREST

Mr S. Thompson attended the meeting as an observer.

Item 6

Cllr Brady had received a letter from the applicant.

Item 7

Cllr Brady declared that he knew the agent professionally, but they had not discussed the application.

Item 8

All Members declared at interest in this item as it related to property which is owned by the Peak District National Park Authority.

Item 9

Members had been copied into an email from an objector.

Item 10

Members had been copied into a letter from a neighbour objecting to the proposal.

Cllr Brady declared that he knew the agent professionally, but they had not discussed the application.

Item 13

Members had received an email regarding Cressbrook Dale.

120/23 MINUTES OF PREVIOUS MEETING OF THE 8TH SEPTEMBER 2023

The minutes of the last meeting of the Planning Committee held on the 8th September 2023 were approved as a correct record.

121/23 URGENT BUSINESS

The Head of Planning informed Members that the Chief Executive had received a letter from the Department of Levelling Up, Housing and Communities which stated that the Authority would not now be going into special measures as they have recognised that improvements have been made in performance regarding non-major planning applications

Over the last ¾ up to the end of June, the Authority was showing that performance was over the 70% requirement and data up to the end of September was showing that over 80% of applications were now being dealt with within 8 weeks. The Government looks at the data over a 2 year rolling period, so we still need to keep on monitoring the performance, but the trajectory was looking good which should improve with the appointment of new staff and structures as part of the re-organisation. It was also noted that the data on the number of applications approved was at 85% which showed we are positive in the vast majority of cases but we are always looking for solutions through the planning process.

Members conveyed their congratulations to Officers and all those involved in improving the position. It was also noted that the 85% approval rate was something that we need to publicise a bit more to get the message out to the public that the majority of applications are dealt with positively, and those that aren't were done for very good reasons.

122/23 PUBLIC PARTICIPATION

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

123/23 FULL APPLICATION - CONVERSION OF FORMER GARAGE & WORKSHOP TO FORM SINGLE DWELLING AT HILL CROSS, ASHFORD IN THE WATER. NP/DD0223/0147, SC)

The report was introduced by the Planning Officer who laid out the reasons for approval as set out in the report.

The following spoke under the public participation at meetings scheme:

- Nick Marriott, Agent

Members supported the proposal, but were concerned that it could then become another holiday let and asked whether it could be controlled by a condition. The Planning Officer reported that the Authority had no control over holiday lets, and that there was no policy to put a condition on it as yet, but that it could be a debate to be had in the future.

A motion to approve the application was proposed, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit.**
- 2. Adoption of submitted plans.**
- 3. Design and materials.**
- 4. Approval of details for bin storage**
- 5. Climate change mitigation measures to be implemented.**

124/23 RETROSPECTIVE PLANNING CONSENT (RE-SUBMISSION) FOR THE RETENTION OF A SHEPHERDS HUT FOR TOURIST ACCOMMODATION AND FOR ANCILLARY WASHROOM ON LAND TO THE WEST SIDE OF TOWNEND LANE, WATERFALL, WATERHOUSES. (NP/SM/0623/0743, SC)

The report was introduced by the Planning Officer who reminded Members that this application was a re-submission of a previously submitted application that was refused by the Planning Committee in August 2022.

The following spoke under the public participation at meetings scheme:

- Allen Newby, Applicant

Members considered that the proposal did not support farm diversification as it was not located close to the main farm and was in an isolated location in the open countryside.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The siting of a single shepherds hut for holiday accommodation in this location fails to accord with adopted planning policies DMR1 and DME2 because it does not support farm diversification and is not located close to the facilities of a farmstead.**
- 2. By virtue of the form, design and isolated location in open countryside, the existing Shepherds Hut and the proposed ancillary washroom does not meet the criteria set out in part A of Core Strategy Policy L1, which requires development to conserve and enhance the valued landscape character of the area.**

125/23 HOUSEHOLD APPLICATION - ALTERATIONS AND EXTENSIONS TO WYNFIELD, HOLME LANE, BAKEWELL. (NP/DDD/0823/0901 LB)

The report was introduced by the Planning Officer who laid out the reasons for refusal as set out in the report.

The following spoke under the public participation at meetings scheme:

- Jim Mundy, Agent

Members asked that the item be deferred to allow for a site visit to enable them to get a better understanding of the street scene, as there appeared to be little development to the other side of the road that would be affected by the proposal.

A motion to defer the item to allow Members to visit the site in order for them to get a better understanding of the setting and design, was moved, seconded, voted on and carried.

RESOLVED:

To DEFER the application pending a site visit by Members to assess the setting and design of the site.

The meeting adjourned for a short break at 11:00am and reconvened at 11.05am.

126/23 FULL APPLICATION - FOR THE ERECTION OF FARM BUILDINGS AND ASSOCIATED EXCAVATION WORK, INCLUDING THE DEMOLITION OF AN EXISTING FARM BUILDING, AT KNOWLE HOUSE FARM, REAPSMOOR (NP/SM/0823/0951, DH)

The report was introduced by the Head of Planning.

Members asked whether a biodiversity metric assessment had been carried out on the site regarding the impact on the biodiversity as this was more common in neighbouring districts. The Head of Planning reported that at the present time the Authority does not have a policy basis for operating a biodiversity metric approach to delivering net gains. The Authority takes a proportionate approach to biodiversity net gain owing to the much reduced scale of development in the National Park. In this case officers were satisfied that an enhancement to the area's special qualities would be achieved through the removal of the existing slurry store and an improved appearance to the midden area for equipment and straw manure storage. The Authority's Ecologists are consulted where there is more appreciable threat to biodiversity interests. However, in this case the Authority Ecologists had no significant concerns so no specific ecology mitigation had been required. Moreover, the Authority's property team had committed to using the excavated material elsewhere on the wider estate in order to construct a new pond for ecological purposes.

Members asked officers to consider whether that a biodiversity metric assessment could be applied through conditions in order to ensure that there was no net loss and also to be certain about the level of gain that could be achieved. This would also ensure that the Authority is being seen to apply best practice in this area.

Members also asked that a condition be added to extend the amount of Yorkshire Boarding on the new building down to ground level, rather than the submitted design (incorporating concrete panels), in order to improve the character and appearance of the structure in the landscape.

A further suggestion was made to add further Yorkshire Boarding to the existing adjoining buildings on the site.

Officers agreed to take these suggestions away. The final conditions would need to be agreed with the Chair and Vice Chair of Planning Committee.

A motion to approve the application subject to consideration of these additional conditions regarding biodiversity net gain, and for additional Yorkshire Boarding to be added to the buildings, was proposed, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit**
- 2. The development to be in accordance with the submitted plans drawing numbers 100-02 (proposed site plan) and 100-03 (proposed plans and elevations) received 11/08/2023**
- 3. Removal when no longer required for the purposes of agriculture**
- 4. Scheme of ecological mitigation and enhancement measures to be agreed.**
- 5. Plans to be amended to incorporate additional Yorkshire Boarding rather than concrete panels.**

127/23 FULL APPLICATION - ERECTION OF A LAMBING SHED AND ACCESS TRACK - FIELD TO THE CORNER OF OAKS LANE AND UGHILL WOOD LANE, BRADFIELD (NP/S/0223/0115, RB)

Some Members had visited the site the previous day.

The Planning Officer introduced the report and informed Members that since the report had been published, the site plan had been amended.

Members noted that a good solution had been found between the Planning Officer and the Applicant/Agent and that there was a clear functional agricultural need for the lambing shed which could be accommodated without causing harm to the landscape.

The motion to approve the application was proposed, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory 3-year time limit for commencement;**
- 2. Development in accordance with amended plans;**
- 3. Restrict use of the building to agricultural purposes only;**
- 4. When the building is no longer required for agricultural purposes, it shall be removed from the site, and the site be restored to its original condition;**
- 5. Prior to construction, notwithstanding the amended plans, full details of the surfacing of the first 10 metres of drive/track shall have been submitted to and approved in writing by the Authority (avoiding the use loose gravel which migrates into the carriageway) and the approved details provided prior to the lambing shed being brought onto use;**
- 6. Precise details of the landscaping scheme to be submitted and approved in writing; (including replacing proposed limestone gravel with gritstone for the track and details of spoil removal/use on site).**
- 7. Removal of the makeshift shelter existing on the land before the new shed is brought into use.**

8. No external lighting to be installed except in accordance with a detailed scheme which has been submitted to and approved in writing by the Authority.

128/23 FULL APPLICATION - NEW FORESTRY BUILDING ON LAND OFF A625, FROGGATT BRIDGE, CALVER (NP/DDD/0623/0604, SC)

Some Members had visited the site the previous day.

The Planning Officer introduced the report and informed Members that since the report had been published a further report from the Authority's Ecology Team had been received, expressing concerns regarding the significant amount of woodland and scrub clearance that had taken place on the site, and concerns on further operations that may be facilitated by such a large building.

The following spoke under the public participation at meetings scheme:

- James Fletcher, Objector
- Oliver Wells, Applicant

Members expressed concern on the large number of trees that had already been removed, and considered that there was a lack of demonstrable need for the proposed building on the site which would be large and prominent in the landscape.

The motion to refuse the application was moved, seconded, voted on and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. Due to a lack of any demonstrable need, the justification provided alongside the application is considered inadequate.**
- 2. By virtue of its isolated siting and scale the development would give rise to harm to the character to the landscape of the locality.**

129/23 APPROVAL OF BRAMPTON NEIGHBOURHOOD PLAN TO SUBMIT FOR REFERENDUM (CW)

The Communities Policy Planner introduced the report which was to consider the recommendations by the independent examiner of the Brampton Neighbourhood Plan which has been submitted to North East Derbyshire District Council as well as the Authority for approval.

Members were concerned that the Examiner had deleted a large tract of text especially when the community had spent a considerable amount of time on the plan, and asked whether there was anything we could do which would help future communities with the process.

A motion to approve the recommendation was proposed, seconded, voted on and carried.

RESOLVED:

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

- 1. Approve that following the inclusion of the Examiner's recommended modifications into the Plan (as set out in Appendix 1), the plan meets the basic conditions such that it can proceed to a referendum;**
- 2. Approve publication of a formal Decision Statement detailing the Authority's response to the Examiner's recommendations (Appendix 2);**
- 3. Determine that the referendum boundary will cover the designated Brampton Neighbourhood Area only.**

130/23 APPROVAL OF WHALEY BRIDGE NEIGHBOURHOOD PLAN TO SUBMIT FOR REFERENDUM (CW)

The Communities Policy Planner introduced the report which was to consider the recommendations by the independent examiner of the Whaley Bridge Neighbourhood Plan which has been submitted to High Peak Borough Council as well as the Authority for approval.

A motion to approve the recommendation was proposed, seconded, voted on and carried.

RESOLVED:

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

- 1. Approve that following the inclusion of the Examiner's recommended modifications into the Plan (as set out in Appendix 1), the plan meets the basic conditions such that it can proceed to a referendum;**
- 2. Approve publication of a formal Decision Statement detailing the Authority's response to the Examiner's recommendations (Appendix 2);**
- 3. Determine that the referendum boundary will cover the designated Whaley Bridge Neighbourhood Area only.**

The meeting adjourned for a short break at 12:15pm and reconvened at 12.20pm.

131/23 MONITORING & ENFORCEMENT QUARTERLY REVIEW - OCTOBER 2023 (A1533/AJC)

The report was introduced by the Monitoring and Enforcement Team Manager.

The following spoke under the public participation at meetings scheme:

- Jane Money – in regard to Cressbrook Dale
- Clare Gamble – in regard to Cressbrook Dale
- John Oxspring - in regard to Cressbrook Dale

The Officer then gave an update on case ref: 20/0141 at 343 Woodhead Road, Holme in that the enforcement notice had now been withdrawn due to the Highways Authority now withdrawing their objections in respect of the current retrospective planning application so there was no reason to continue with the enforcement notice now.

An enforcement notice was issued on the 29th September for Rocking Stone Farm following the retrospective planning application being refused at the Planning Committee in September. This was due to come into effect on the 3rd November unless an appeal against the enforcement notice is submitted. An appeal had been submitted against the refusal of the planning permission.

The Officer then shared “before and after” photographs of a resolved case, 17/0042, Land near Coombes Tor, Glossop, where a wireless broad band mast had been erected, and has since been removed. He also drew attention to the review of outstanding cases which is currently being carried out which is anticipated will result in a significant reduction over the next few months, and an update will be provided in the next quarterly report.

Members asked for an update on case 15/0057 at Mickleden Edge, Midhope Moor. The Officer reported that they were in contact with Natural England who had stated that an appeal to challenge some or all of the conditions attached to the SSSI consent had been lodged. The Officer also reported that the Authority was in discussions with the planning consultant regarding case 18/0062 at Cartledge Flat, Bradfield Moors, as they are considering submitting a further planning application to retain the development in some form; otherwise the Authority will be seeking compliance with the enforcement notice as soon as possible.

The Chair and Members of the Planning Committee thanked the Cressbrook Community for sharing their concerns regarding case 22/0040, and that their contribution has been invaluable.

The recommendation was moved, seconded, voted on and carried.

RESOLVED:

That the report be noted.

132/23 MONTHLY PLANNING APPEALS REPORT (A.1536/KH)

A motion to move the recommendation was proposed, seconded, voted on and carried.

RESOLVED:

To note the report.

The meeting ended at 12.55 pm