
MINUTES

Meeting: **Planning Committee**

Date: Friday 14 November 2014 at 10.00 am

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

Chair: Mr P Ancell

Present: Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr Mrs H Gaddum, Cllr Mrs N Hawkins, Cllr A McCloy, Ms S McGuire, Mr G Nickolds, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg, Cllr S Wattam and Cllr D Williams

Apologies for absence: Cllr D Birkinshaw, Cllr A R Favell and Cllr H Laws

144/14 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 10 October 2014 were approved as a correct record.

With reference to Minute No. 135/14, the Director of Planning reported that the application had been withdrawn by the Applicant, therefore there had been no site visit.

145/14 PUBLIC PARTICIPATION

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

146/14 MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr Mrs L Roberts declared a personal and prejudicial interest as a member of the Parish Council, having voted on the matter at their meeting. She would leave the planning committee meeting before Item 6 was considered and take no part in the debate or voting.

Item 7

It was noted that all Members had received emails from the Applicant and from Mr J Youatt. Cllr Mrs H Gaddum noted that she had not been able to open the attachment on the second email sent by the Applicant on 13 November.

Cllr P Brady declared that he and Mr J Youatt had had a conversation prior to the committee meeting about a separate matter.

Cllr Mrs L Roberts declared a personal interest in that she knew one of the speakers, Mrs M Brough.

Cllr D Chapman had received a phone call from Sir Richard Fitzherbert but made no comment and retained an open mind about the proposals.

Item 8

Mr P Ancell had received indirect correspondence from the Chair of Sheldon Parish Council.

Cllr P Brady declared a personal interest in that he had corresponded and conversed with a local resident about the proposals.

Ms S McGuire declared a personal interest in that she was personally acquainted with Mr J Noble speaking on behalf of Sheldon Parish Council.

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

Item 16

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

147/14 6. FULL APPLICATION - INSTALLATION OF A 150KW GROUND MOUNTED PHOTOVOLTAIC SOLAR ARRAY, WETWOOD FARM, MEERBROOK

Cllr Mrs L Roberts left the meeting and took no part in the debate or voting.

This application, deferred from the last meeting, proposed the installation of a 150KW ground-mounted photo voltaic array within a field parcel immediately to the south of the existing group of farm buildings at Wetwood Farm. It was noted that Members had visited the site the previous day.

The Officer gave reasons for the positioning of the proposed interpretation panel.

The following made representations to the meeting:

- Dr P Owens, Supporter
- The Agent and the Applicant, sharing the 3-minute allocation

In response to Members' questions, the Officer confirmed that the landscaping scheme in Condition 4 would provide proper protection for the trees on the application site. A fuller landscaping scheme could include hedgerows and shrubs, thereby boosting the screening of the photovoltaic array already afforded by the trees and providing sustainable cover for the future. An amendment to Condition 4 was moved and seconded to specifically include the trees on the site.

The Officer addressed Members' concerns re possible glare from the proposed array. A site visit to other locations where photovoltaic cells were in use would be provided so that Members could see for themselves the effectiveness of the reflective coating in minimising glare.

The recommendation with the amended Condition 4 was moved, seconded, voted upon and carried.

Cllr Mrs L Roberts returned to the meeting when the voting was finished.

RESOLVED:

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

- 1. The development hereby permitted shall be commenced within three years of the permission.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans and specifications subject to the following conditions / modifications:**
- 3. At the time of their installation, the individual solar panels shall be provided with matt black surrounds and an anti-reflective finish and shall be permanently so maintained thereafter.**
- 4. Prior to the installation of the ground mounted array, a landscaping scheme including the existing trees shall be submitted to and agreed in writing by the Authority. Thereafter, the approved scheme shall be carried out in the first planting season after the development has been commenced and no tree shall be modified, wilfully or otherwise, without prior consent from the Authority.**
- 5. Prior to the installation of the ground mounted array, precise details of an interpretation panel, including its design and siting, shall be submitted to and agreed in writing by the Authority. Thereafter, the interpretation panel shall be installed prior to any of the panels within the proposed array being taken into use for the purposes of energy generation.**
- 6. Once the solar panels are no longer required for the purposes of energy generation, the ground mounted solar array shall be completely removed from the land, and the ground shall be reinstated to its original ground within three months of the solar panels being decommissioned.**

148/14 7. FULL APPLICATION - ERECTION OF ONE 50KW WIND TURBINE, 24.6M TO CENTRE OF HUB AND BASE TO BLADE TIP HEIGHT OF 34.4M AND ERECTION OF ANCILLARY BUILDING ON LAND ADJACENT TO PIKEHALL FARM, PIKEHALL

This application proposed the erection of a single wind turbine in a field 500m to the north west of the buildings currently used by Hartington Creamery Limited and the nearby group of modern farm buildings.

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

The Officer stated that an interim report from the Authority's archaeologist had been submitted in the afternoon of 13 November, in which the archaeologist confirmed that reason 2 of the recommendation could be omitted.

The following made representations to the committee:

- Mrs M Brough, Objector
- Dr P Owens, Objector
- Mr J Youatt
- Mr A Cartlidge, Applicant

Whilst acknowledging the socio-economic merits of the proposal, some Members were of the view that alternatives remained to be explored. The issue of landscape impact was of prime importance.

The recommendation minus the objection to the proposals on archaeological grounds was moved and seconded.

Officers explained the purpose of the white colour of the turbine in ensuring the optimum performance of the installation. Dark colours were not available from the manufacturers as they did not achieve this.

The amended recommendation was put to the vote and carried. The Chair encouraged the Applicant to continue discussion with Officers in the pursuit of an acceptable proposal.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. In this case, the proposed development would have a significant adverse visual effect on the character of its landscape setting, and it would harm the scenic beauty of the National Park by virtue of its size, scale and siting. The current application is therefore considered to be contrary to Core Strategy policies GSP1, GSP3, L1, and CC2 and Local Plan policies LC4 and LU4, contrary to guidance in the Authority's adopted SPD on Climate Change and Sustainable Building and the Authority's Landscape Strategy and Action Plan, and contrary to national planning policies in the Framework and government guidance in the associated Planning Practice Guidance.**
- 2. In this case, any environmental, economic and social benefits of approving the proposed development would be outweighed by the harm to the valued characteristics of the National Park identified above, and the adverse impacts of the proposed turbine cannot be made acceptable. Therefore, any approval would be contrary to the principles of sustainable development set out in Core Strategy policy GSP1 and national planning policies in the National Planning Policy Framework.**

Adjournment

A short break was taken between 11.25 and 11.35am.

149/14 8. FULL APPLICATION - ERECTION OF ANCILLARY ACCOMMODATION, LEISURE ACCOMMODATION, OWNERS FLAT AND GREENHOUSE AND CHANGE OF USE FROM YARD AREA, HOME FARM, SHELDON

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

Officers and Members acknowledged the undoubted enhancements embodied in the application but considered the potential improvements to be offset by the sheer size and scale of the proposals, which would have a harmful impact on the landscape and affect the setting of the village.

The following made representations:

- Ms J Taylor, Supporter
- Ms A Mulder, Supporter

- Cllr J Noble on behalf of Sheldon Parish Meeting
- Mr A Kohanzad, Applicant

The Officer confirmed that modified proposals could be considered in discussion with the Applicant.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposals constitute substantial new accommodation in open countryside that is of a scale, size and form, and proposes an extensive range of uses and facilities that cannot be regarded as ancillary to the existing guest house use, and the proposals do not offer any significant benefits or substantial enhancement to the character, appearance or amenities of the local area, contrary to policy RT2 (B) and policy GSP2 of the Authority's Core Strategy.**
- 2. The position, scale, form and design of the proposed Ancillary Accommodation Building and the Greenhouse Building are insensitive to the locally distinctive pattern of development and insensitive to the character and immediate setting of the existing guest house building. Therefore, the current application fails to meet the requirements of Local Plan policies LC4 and LC5, and policy GSP3 and L3 of the Authority's Core Strategy.**
- 3. No accompanying justification statement submitted in support of the proposed Manager's Flat accommodation. The proposed Manager's Flat accommodation would therefore be contrary to Core Strategy policies HC1 B and HC2.**

150/14 10. OUTLINE APPLICATION - ERECTION OF BUILDING TO ACCOMMODATE 6 NO. ONE BEDROOM FLATS, ENDCLIFFE COURT, ASHFORD ROAD, BAKEWELL

This item was brought forward on the agenda as it had no speakers and the meeting was running ahead of the time given for the next item with speakers.

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

The application was for outline permission for the erection of a new building to accommodate six one-bedroom flats, with all matters reserved. The proposed flats would be rented out on the open market to meet general demand. It was noted that a financial development appraisal had been submitted that supported the Applicant's offer of a commuted sum of £55,000 to facilitate affordable housing to meet local needs elsewhere in Bakewell, if the application was approved.

The Officer referred to the policy considerations cited in the report and explained that the application could be accepted as an appropriate exception to the Authority's housing policies provided that the proposed flats were "tied" to the remainder of the estate at Deepdale Business Park by means of a Section 106 legal agreement.

The recommendation for approval was moved and seconded.

In discussion, members then expressed a preference for affordable housing on the site and sought clarification re the Applicant's offer of the commuted sum of money.

It was considered that the commuted sum offered by the developer would not make a significant contribution to the provision of affordable housing in Bakewell.

It was considered that there was not sufficient evidence to demonstrate that the open market housing would contribute significantly to the viability of the business park, and there were concerns that an approval would not safeguard the employment use of the remainder of the site over the longer term.

It was also considered that it would be desirable to have affordable housing in a mix of locations across Bakewell rather than focus delivery of affordable housing on the Lady Manners' site.

A motion to refuse the application was moved and seconded on the basis that in the absence of on-site provision of affordable housing the proposals would be contrary to the Authority's housing policies, and the benefits of granting planning permission for the proposed development would not offset or outweigh the identified conflict with these policies.

The motion was put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

1. **The proposals would not deliver affordable housing.**
2. **The proposals were contrary to the Authority's housing policies HC1 and LH1.**
3. **The benefits of the scheme did not outweigh the policy considerations.**

151/14 12. FULL APPLICATION - PROPOSED CHANGE OF USE OF SMALL AREA OF AGRICULTURAL LAND TO BE INCORPORATED INTO THE GARDEN AT DALE HEAD FARM, ASHFORD ROAD, BAKEWELL

This item was considered prior to Item 11 as it related to a change in curtilage that would be needed in order to effect the separate proposals.

The application proposed the change of use of an area of agricultural land measuring 8m by 5m in association with the construction of a double garage as detailed in Item 11 (NP/DDD/0814/0808).

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

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Standard 3 year time limit to commence development.**
2. **Adopt submitted plans.**

152/14 11. FULL APPLICATION - PROPOSED DEMOLITION OF EXISTING DETACHED DWELLING AND THE ERECTION OF A NEW REPLACEMENT DWELLING IN THE SAME LOCATION, DALE HEAD FARM, ASHFORD ROAD, BAKEWELL

This application proposed the demolition of the existing bungalow and its replacement with a one-and-a-half storey dwelling, together with the erection of a double garage to the south of the dwelling house.

The Officer explained that although the proposed dwelling would be larger than the existing bungalow and suburban in character, it would be in keeping with its immediate surroundings and not harmful to the landscape character of the area despite its plain design. It would also be well screened from the A6 road to the north and east. The alternative of repairing and extending the bungalow as permitted by application no. NP/DDD/1212/1275 was noted as being a less sustainable option.

Members moved approval of the proposals with an additional condition reserving details of the roof lights for further approval and an amendment to condition 10 to require the submission of a landscaping scheme.

Following discussion of the implications of the proposed access, a motion to defer the application for the investigation of more options re the siting of the garage was moved. This motion was withdrawn after further debate.

The motion to approve the application with the amendment to condition 10 and the addition of a condition re the roof lights was seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Standard 3 year time limit to commence development.**
- 2. Adopt amended plans.**
- 3. Stonework to be in natural limestone - sample panel to be agreed.**
- 4. Remove permitted development rights for extensions, alterations and outbuildings.**
- 5. Restrict domestic curtilage to area edged red on submitted location plan.**
- 6. Development to be built to a minimum of Code Level for Sustainable Homes required of RSLs.**
- 7. Copy of the summary score sheet and Post Construction Review Certificate to be submitted verifying that the minimum Code Level shall be achieved.**
- 8. Garage to remain available for the parking and private domestic vehicles in association with Dale Head Farm.**
- 9. Minor Design Details**
- 10. A full landscaping scheme to be submitted and approved by the Authority prior to the commencement of any works on the site and no tree to be felled or damaged without the consent of the Authority.**
- 11. Details of the roof lights to be reserved for further approval.**

The committee broke for a half hour lunch at 1pm and Cllr A McCloy left the meeting at 1pm.

Afternoon attendance

Chair: Mr P Ancell

Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr Mrs H Gaddum, Cllr Mrs N Hawkins, Cllr A McCloy, Ms S McGuire, Mr G Nickolds, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg, Cllr S Wattam and Cllr D Williams

Apologies: Cllr A McCloy

153/14 9. FULL APPLICATION - ERECTION OF TWO AFFORDABLE DWELLINGS, THE CROFT, LITTON DALE, LITTON

This item was moved from the morning session to ensure that it was heard at the time given to the speaker Mr R Hopkins.

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

The following made a representation to the meeting:

- Mr R Hopkins, Applicant.

A motion to approve the application was moved and seconded.

However, whilst minded to approve the application, Members received Officer advice that the site was in open countryside and therefore not acceptable in policy terms.

The lack of clarity with regard to the specific affordable housing needs of both Litton and Tideswell and the desire of both parishes to have the current housing surveys completed before a decision was made on the proposals, gave rise to a motion to defer. This was seconded with agreement that the application be decided no later than the 12 December planning meeting, to which representatives of both parish councils were invited.

The motion to defer was voted upon and carried.

RESOLVED:

That the application be DEFERRED for the following reason:

- 1. To allow time for the recently completed housing need survey for Litton to be assessed and to allow both Litton and Tideswell Parish Councils to consider these findings and to be invited to attend the next planning Committee.**

154/14 14. FULL APPLICATION - CHANGE OF USE OF PART OF GROUND FLOOR FROM CAFE (USE CLASS A3) TO HOT FOOD TAKEAWAY (USE CLASS A5) AND FORMATION OF NEW DOOR WITHIN EXISTING WINDOW OPENING, THE THREE ROOFS CAFE, THE ISLAND, CASTLETON

This item was brought forward as the speaker had arrived at the allocated time and Item 13 had no speakers.

The application sought planning permission for the change of use of part of the existing café building to takeaway in order to allow the sale of hot and cold food prepared by the existing café. The hours of operation would be the same as the café and Officers anticipated no increase in visitors to the premises.

The following made a representation to the meeting:

- Mr L Wolfe, Applicant

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

RESOLVED:

That the application be APPROVED subject to the following conditions.

- 1. Statutory three year time limit for implementation.**
- 2. Development to be carried out in accordance with submitted plans.**
- 3. New door to be timber, painted a recessive green colour to match the existing doors at the time of erection and to be permanently maintained thereafter.**
- 4. The takeaway use hereby approved shall be limited to the area shown on the approved plans only.**
- 5. The takeaway hereby approved shall be ancillary to The Three Roofs Cafe only and the takeaway and existing cafe shall be retained as a single planning unit.**
- 6. The hours of opening of the takeaway hereby permitted shall be restricted to 09.00 - 18.00 hours on any day.**
- 7. No deliveries, loading, unloading or other servicing activities shall take place at the premises other than between the hours of 09.00 - 18.00 hours Monday to Friday; 09.00 - 13.00 hours on Saturday; and at no times on Sundays or Bank Holidays.**

Cllr Mrs H Gaddum left the meeting at 2.30pm.

155/14 13. HOUSEHOLDER APPLICATION - ERECTION OF NEW DOUBLE DOMESTIC GARAGE AT THE BUNGALOW, FENNY BENTLEY

The application proposed the erection of a double garage in the south west corner of a roughly surfaced area at the front of the property. The amended plans showed that the proposed garage would be of block and render construction with a pitched roof clad with blue slates to match the existing dwelling.

After clarification on the nature of the objections to the proposals, the recommendation was moved, seconded, voted upon and carried.

RESOLVED:

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

1. The development hereby permitted shall be begun within three years of the date of the permission.
2. The development shall not be carried out other than in complete accordance with the amended plans, Drawing No. 01/9349 received by the National Park Authority on 8 October 2014.
3. The development shall not be carried out other than in complete accordance with specifications for minor design details including specifications for construction materials, external doors and windows, and rainwater goods.
4. No external lighting without the Authority's prior written consent.
5. The garaging shall be retained for the garaging of domestic vehicles.

Cllr C Carr left the meeting at 2.35pm.

156/14 15. FULL APPLICATION - PROPOSED FIRST FLOOR EXTENSION TO EXISTING DOUBLE GARAGE, PROPOSED PORCH AND INTERNAL ALTERATIONS AT BAKESTONEDALE FARM, POTT SHRIGLEY

This application proposed a first floor extension over the garage to provide extended living space on the first floor level for the ancillary living accommodation in the building.

Part of the new accommodation would be a self-contained unit in which the Applicant's mother would live semi-independently and without the difficulties presented by changes of level in the main house.

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

RESOLVED:

That the application be REFUSED for the following reason:

1. The proposed garage extension, by virtue of its overall size, massing and design, would unacceptably dominate the existing traditional outbuilding which, along with the inappropriate porch, would cause harm to its valued character, appearance and its setting to the detriment of the National Park thereby conflicting with Core Strategy Policy GSP1, GSP2, GSP3, L3, Saved Local Plan Policies LC4 and LH4.

157/14 16. STANTON MOOR MINERAL LIAISON GROUP AND CONSULTATION ON MINERAL PLANNING MATTERS IN THE STANTON MOOR AREA

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

RESOLVED:

- i) That the list of stakeholders invited to attend the Stanton Moor Mineral Liaison Group remains as set out in the report to Planning Committee on 15 March 2014, Item 15.
- ii) That the Planning Committee report 'QUARRYING IN THE STANTON MOOR AREA – THE STANTON MOOR PRINCIPLES' item 8.1, September 2012 and related minute 170/12 is confirmed as a key document for the purposes of the

terms of reference for the Stanton Moor Mineral Liaison Group.

iii) That where an application in the Parishes of Birchover or Stanton In Peak proposes:

- a surface extension of mineral working; or
- a material increase in vehicle movements; or
- the establishment of a new quarry

the Authority will endeavour to consult beyond the statutory Parish Council, if the immediately adjacent Parishes from the following list are considered to be likely to be directly affected by the development:

- Stanton in Peak PC
- Birchover PC
- Rowsley PC
- Darley Town Council
- Darley Dale Parish Council
- South Darley Parish Council

Cllr Mrs K Potter and Cllr Mrs N Hawkins left the meeting at 3pm.

158/14 17. ADDITIONAL ISSUE FOR THE DEVELOPMENT MANAGEMENT POLICIES DPD: RECREATION HUBS AND VISITOR MANAGEMENT

The Policy Planning Manager introduced the report which gave four options for policy relating to recreational hubs. As the Policy Planning Team were still involved in the ongoing work on the development management policies document, the Officer confirmed his recommendation that Members approve Option 3.

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

RESOLVED:

1. That Members support option 3 at paragraph 18 of the report as the basis for further work on the issue of recreation hubs and visitor management

159/14 18. APPOINTING AN INDEPENDENT EXAMINER FOR THE CHAPEL-EN-LE-FRITH NEIGHBOURHOOD PLAN

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

RESOLVED:

- 1. That Members support the officer recommendation at paragraph 9 and Appendix 1 that the preferred choice of Inspector to conduct the examination into the Chapel-en-le-Frith Neighbourhood Plan is Janet Cheesley**
- 2. That delegated authority is granted to the Director of Planning in consultation with the Chair and Vice Chair of Planning Committee to agree any changes to this decision if there is no agreement between the Authority, High Peak Borough Council and the Parish Council**

160/14 19. PLANNING APPEALS

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

RESOLVED:

That the report be received.

161/14 MINUTES OF PREVIOUS MEETING - PART B

The confidential minutes of the previous planning committee meeting were approved as a correct record.

The meeting ended at 3.05pm.