
MINUTES

Meeting: **Planning Committee**

Date: Friday 16 January 2015 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: Cllr D Birkinshaw

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

Apologies for absence: Mr P Ancell and Mr G Nickolds

172/14 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 12 December 2014 were approved as a correct record.

173/14 MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr Mrs L Roberts declared a personal interest in this item and had already determined the issue. She would not be present for this item other than as a public speaker..

It was noted that all Members had received correspondence from Mr Geoff Nickolds.

Item 8

Cllr D Chapman declared a personal and prejudicial interest as the applicant was a friend.

It was noted that all Members had received correspondence from Mr and Mrs Middleton, Ms Gamble and Mr Wright.

Item 9

Cllr Chris Carr, Cllr Mrs H M Gaddum, Cllr Mrs N Hawkins, Ms S McGuire, Cllr Mrs L Roberts and Cllr Mrs J A Twigg had all received correspondence from Mr M Sutcliffe.

Item 10

Cllr A R Favell declared a personal interest as he had been lobbied by the applicants who were residents of his ward.

174/14 PUBLIC PARTICIPATION

The Chair reported that 18 members of the public had given notice to speak under the public participation at meetings scheme.

175/14 FULL APPLICATION - ERECTION OF LOCAL NEEDS DWELLING ON LAND NORTH OF LAPWING FARM, ACROSS THE LEA, MEERBROOK

The Planning officer introduced the report and emphasised that if the development was approved it would conflict with the Authority's housing policies and National policy as it was within open countryside. It was noted that the Policy Planning Manager was present to answer questions regarding neighbourhood planning.

The following spoke under the public participation at meetings scheme:

- Cllr Mrs L Roberts, spoke in favour of National Park policies and then left the room.
- Ms S Barlow, supporter
- Mr D J Breakwell, Sammons Architectural Ltd, Agent
- Cllr Mrs G Heath, Ward and County Councillor, supporter.

A motion for refusal of the application on the grounds of a better location being available was moved but not seconded. A motion to confirm the approval of 12 December 2014 for approval subject to prior entry into a S.106 legal agreement containing obligations relating to local occupancy criteria, and a mechanism to subdivide the house to provide 2 affordable houses to meet local need in the future and subject to conditions as set out in the report and recommended at the last Planning Committee meeting was moved and seconded.

The Director of Planning stated that the current policies had been adopted in October 2011 and were up to date and consistent with the National Planning Policy Framework. They had been supported by Planning Inspectors on all appeals involving housing in the last 2 years.

Although some Members were supportive of the policies, the majority of Members felt that there were exceptional circumstances in this application and that it should be approved.

The motion for approval was voted on and carried.

RESOLVED:

That the application be APPROVED subject to prior entry into a S.106 legal agreement containing obligations relating to local occupancy criteria, and a mechanism to subdivide the house to provide 2 affordable houses to meet local need in the future and subject to the following conditions:

- 1. The development hereby permitted shall be commenced within two years of the date of the permission.**
- 2. The development hereby permitted shall not be carried out otherwise in complete accordance with the submitted elevation plans and the amended block plans subject to the following conditions:**
- 3. No development shall take place until a landscaping scheme has been submitted to and agreed in writing by the National Park Authority. The**

- submitted scheme shall include: (i) details of all trees to be retained and protection for those trees during the construction phase of the proposed development; (ii) precise details of all hard and soft landscaping including details of any seeding or planting, surfacing materials and boundary treatments; (iii) precise details of the provision and undergrounding of services; and (iv) precise details of parking provision within the site curtilage. Thereafter, the proposed development shall be carried out in complete accordance with the approved landscaping scheme, which shall be completed prior to the first occupation of the dwelling hereby permitted.
4. No works shall commence on the erection of the newly-built dwelling hereby permitted until samples of the materials to be used in the construction of the external surfaces of the dwelling, including a sample panel of the stonework for the external walls, sample of the stone, quoins, sills, lintels, and surrounds to be used in the construction of the external walls, samples of all roof coverings and rain water goods, and samples of all external door and window frames, have been submitted to and approved in writing by the National Park Authority. Thereafter, the development shall be carried out in accordance with the approved details.
 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no ancillary outbuildings or other structures incidental to the enjoyment of the dwelling shall be erected.
 6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no extensions or alterations to the newly-built dwelling shall be carried out.

176/14 FULL APPLICATION - ERECTION OF TWO AFFORDABLE DWELLINGS, THE CROFT, LITTON DALE, LITTON

The Planning officer amended the report in the first paragraph under the heading Conclusion. The last sentence was amended by adding the words 'be unacceptable' after the word 'therefore' and by adding the words 'as it is contrary to' before the words 'Core Strategy'.

Representations from the Parish Council and a supporter were summarised for the Committee.

The following spoke under the Public Participation at meetings scheme:

- Cllr J Evans, Chair of Litton Parish Council, Objector
- Cllr S Barber, Chair of Tideswell Parish Council, Supporter
- Mr R Hopkins, Applicant.

In response to comments by speakers the Planning officer stated that there was no current application for affordable housing on Hall Lane in Litton. It was noted that there was ongoing work to identify suitable affordable housing sites in Tideswell, including discussions with landowners, and it was hoped this would be completed by mid-February.

A motion for refusal as set out in the report was moved and seconded but lost on the vote. The majority of Members were in favour of approval as it would meet an identified need. A motion for approval subject to conditions and a S.106 agreement was moved and seconded. This was voted on and carried.

RESOLVED:

That the application be APPROVED subject to a S.106 agreement and the following conditions:

- 1. Start the development within 2 years**
- 2. Carry out in accordance with approved plans**
- 3. Remove permitted development rights for external alterations, extensions garden buildings, gates, fences and walls.**
- 4. Submit and agree landscaping scheme including lighting scheme.**
- 5. Submit sample roof and walling materials and agree sample panel.**
- 6. Minor design details e.g Rainwater goods, pointing, eaves and verge details, meter boxes, recessed window and door frames.**
- 7. Timber windows and doors with painted finish**
- 8. Highway requirements covering visibility splays, delivery and layout of parking spaces,**
- 9. Submit and agree scheme of environmental management.**
- 10. Submit and agree bin storage area.**

The meeting was adjourned at 11.40am for a short break and reconvened at 11.50am.

177/14 FULL APPLICATION - USE OF YARD FOR PARKING TWO LORRIES FOR COMMERCIAL USE IN ADDITION TO EXISTING USE OF YARD FOR AGRICULTURAL PURPOSES, FIVE ACRES FARM, NARROW GATE LANE, WARDLOW

Cllr D Chapman had declared a personal, prejudicial interest in this item and therefore left the room.

The Planning officer reported that the information requested following the last Planning Committee meeting had been received and the conditions changed accordingly. He also reported that further representations had been received from Mr H Wright and the Agent.

The following spoke under the public participation at meetings scheme:

- Ms J Middleton, Objector
- Ms C Gamble, Objector
- Mr D Sutherland, Agent.

In response to Members' comments the Planning officer stated that condition 2 could be deleted and condition 3 amended to read 'The use hereby permitted shall remain in ownership and control of Five Acres Farm only and the existing farmstead and the use of land for the parking of commercial lorries hereby permitted shall be retained within a single planning unit'.

Some Members were still concerned that it was still not clear that this was an appropriate diversification of the farm. A motion for refusal on the grounds of inappropriate farm diversification was moved and seconded. This was voted on and carried.

RESOLVED:

That the application be REFUSED as inappropriate farm diversification.

178/14 FULL APPLICATION - RETROSPECTIVE CHANGE OF USE OF LAND FROM AGRICULTURE TO A YARD/STORAGE AREA FOR THE ADJACENT STEEL FABRICATION BUSINESS GRANTED UNDER CLUED NP/SM/0712/0783 AND LANDSCAPING SCHEME, PITCHINGS FARM, WHITEFIELDS LANE, WATERHOUSES

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

Cllr Mrs H M Gaddum declared a personal interest as she knew 1 of the speakers for this item.

Cllr Mrs N Hawkins declared a personal interest as she knew 3 of the speakers.

Cllr Mrs L Roberts declared a personal interest as she knew 1 of the speakers.

The following spoke under the public participation at meetings scheme:

- Cllr Mrs G Heath, County Councillor, Supporter
- Cllr E Wain, Supporter
- Mr M Sutcliffe, Objector
- Mr I Harvey, Applicant.

In accordance with Standing Orders, Members agreed to continue the Committee meeting beyond 3 hours.

In response to Members' queries the Planning officer stated that there were discrepancies regarding the footpaths on the site compared with the definitive map, but that an informative could be included to state that no footpath be blocked up.

Members were concerned that there were not more conditions listed in the report recommendation and some were suggested. The amendments and extra conditions were discussed, a revised list of conditions agreed and added to the recommendation.

A motion for approval subject to the amended conditions and informative relating to public rights of way was moved and seconded. This was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Amended landscaping scheme to be carried out in the current planting season**
- 2. Use of yard restricted to outdoor storage, loading/unloading, and staff parking**
- 3. Activities related to the steel fabrication business not to take place other than on the yard area, or within the area covered by the existing LDC**
- 4. Permitted development rights removed for fencing**
- 5. Permitted development rights removed for any buildings and/or structures on the yard area**
- 6. No external lighting without prior approval**
- 7. Limit on height of stored materials**
- 8. Details of staff parking within yard area to be agreed and implemented**
- 9. Restriction on working hours**

Informative: applicant to be advised any rights of way crossing the application site should remain fully available to the public, until such time as statutory action to divert any right of way has been completed.

The meeting adjourned for a lunch break at 1.30pm and reconvened at 2.00pm.

179/14 FULL APPLICATION - CONVERSION OF BARN TO DWELLING, DALE HEAD BARN, HOUSLEY, FOOLOW

Cllr D Chapman declared a personal interest as he knew the applicant.

Cllr A R Favell declared a personal interest as he knew the applicant and he had been contacted by the applicant as a resident of Cllr Favell's ward.

2.13pm Cllr Mrs H M Gaddum left the meeting.

The Planning officer reported that a response had been received from the Authority's Landscape Architect and this was read out for the Committee.

The following spoke under the public participation at meetings scheme:

- Mr J Oldfield, Agent.

Members wished to see the barn preserved but were divided on whether or not the proposal would harm the barn. A motion for approval was moved and seconded, however it was agreed to amend this to defer the application to allow for the consideration of alternative uses for the barn. The motion for deferral was voted on and carried.

RESOLVED:

That consideration of the application be DEFERRED to allow for the consideration of alternative uses for the barn.

180/14 FULL APPLICATION - CONVERSION OF A REDUNDANT STONE AGRICULTURAL BUILDING INTO A RESIDENTIAL DWELLING TO FULFILL AN AFFORDABLE LOCAL NEEDS HOUSING REQUIREMENT AT GOLLIN GATE FARM, QUARNFORD

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

The following spoke under the public participation at meetings scheme:

- Cllr J Hails, spoke as a Parish Councillor and on behalf of Cllr Mrs G Heath, Supporter
- Mr A Dukesell, Agent.

Members felt that there was a clear need for the dwelling and that it would not harm the landscape. A motion for approval subject to conditions in consultation with the Chair and Vice Chair of the Planning Committee, including a S.106 agreement was moved and seconded. This was voted on and carried.

RESOLVED:

That the application be APPROVED subject to a S.106 agreement and the following conditions:

- 1. Statutory time limits**

2. In accordance with approved plans
3. Undergrounding of services
4. Foul sewage
5. Parking and access
6. No external lighting
7. Define curtilage and submit landscaping scheme
8. Design details and architectural specifications
9. Removal of permitted development rights for alterations, extensions and outbuildings

181/14 FULL APPLICATION - RETENTION OF AGRICULTURAL BUILDING AT CHESTERFIELD HOUSE, BANK TOP, WINSTER

The following spoke under the public participation at meetings scheme:

- Mr J Church, Agent.

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

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

RESOLVED:

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

1. The building hereby permitted shall remain ancillary to farming operations carried out at Bank Top Farm, and the building hereby permitted, the land within the red edging on the submitted plans and the land and buildings shown within the blue edging on the submitted plans shall all be maintained as a single planning unit.
2. The building hereby permitted shall be used solely for agricultural purposes ancillary to farming activities carried out at Bank Top Farm and for no other purpose.

182/14 MONITORING AND ENFORCEMENT QUARTERLY REVIEW - JANUARY 2015

Cllr Mrs K Potter left the meeting.

The Monitoring and Enforcement Manager gave the following update on the high priority cases detailed in the report:

- 9. Five Acres Farm, Wardlow – use of site for parking and maintenance of HGVs and trailers: the planning application for ‘use of yard for parking 2 lorries, in addition to retention of use of yard for agricultural purposes’ was refused by the Planning Committee earlier in this meeting. Officers will now consider what needs to be done regarding the site.

RESOLVED:

That the report be noted.

3.50pm Cllr D Chapman left the meeting.

183/14 BRADWELL NEIGHBOURHOOD PLAN - ASSESSING LEGAL COMPLIANCE AND CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN

The Village and Communities Officer introduced the report on the draft (31 December 2014) Bradwell Neighbourhood Plan submitted by Bradwell Parish Council. She amended the report in paragraph 17, the sentence starting with 2a should refer to paragraph 13 not paragraph 9.

Members congratulated all concerned on exceptionally good work and the recommendation as set out in the report was moved and seconded.

In responses to Members' queries the Village and Communities Officer stated that the Parish Council would be responsible for the wording of the Plan but consultations would be made. The Plan would then be subject to examination and the final wording would be agreed with the Parish Council, the Authority and the Examiner.

The motion was then voted on and carried.

RESOLVED:

1. That the draft (31.12.14) Bradwell Neighbourhood Plan (with supporting documents) does comply with the criteria for a neighbourhood plan; and
2. That following confirmation of these criteria that the Authority undertakes statutory notification, public consultation and examination of Bradwell Neighbourhood Plan; and
3. Alongside these processes consultation may be undertaken with Natural England, English Heritage and the Environment Agency with regard to the 'Habitats Regulations Assessment screening statement' and the 'Strategic Environmental Assessment screening statement'.

184/14 LOCAL DEVELOPMENT PLAN - REVISED APPROACH TO MONITORING A6106/BJT

The Policy Planning Manager introduced the update report on the approach taken to monitor the Local Development Plan and agree a revised timeframe for delivering the Annual Monitoring report.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

1. That the approach taken to revise indicators for monitoring the Local Development Plan be noted;
2. That delegated authority for the Director of Planning to agree the final revised indicator set in consultation with the Chair and Vice Chair of Planning Committee before the end of the first quarter in 2015 be granted;
3. The new timeframe for publishing an annual monitoring report in July as set out in paragraph 16 of the report is agreed;
4. The completions report at Appendix 1 of the report is noted.

185/14 HEAD OF LAW

Members noted the appeals lodged and decided during the month.

RESOLVED:

That the report be noted.

The meeting ended at 4.05 pm