



MINUTES

Meeting: **Planning Committee**

Date: Friday 14 October 2016 at 10.00 am

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

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Cllr J Macrae, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg and Cllr D Williams

Cllr A McCloy attended to observe and speak but not vote.

Apologies for absence: Cllr A Hart and Ms S McGuire.

127/16 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 9 September 2016 were approved as a correct record.

128/16 MEMBERS DECLARATIONS OF INTEREST

Item 7

Cllr Mrs L Roberts had received an email from Cllr Mrs K Potter which included a link to a news article she considered relevant to the application. Cllr Mrs K Potter confirmed that she had sent the email.

Item 8

Cllr D Chapman, personal and prejudicial, as he is a friend of the applicant and had a business relationship with him and would leave the meeting during this item.

Cllr C Carr, personal and prejudicial, as had a business relationship with the applicant and knew him well and would leave the meeting during this item.

Cllr Mrs K Potter declared that, as she had been unable to take part in the site visit due to the odour, she could not be entirely objective about the application, she would leave the room during this item. She had received correspondence on the matter.

Cllr A McCloy, personal, as he knew one of the public speakers

Cllr P Brady, personal, as he had spoken to one of the speakers on the phone and discussed the application with people from Flagg, Monyash and Taddington.

Mr R Helliwell, personal, as he knew two of the speakers Grant Hattle and Simon Frost. He also knew the applicant.

Cllr Mrs J Twigg and Cllr D Williams had received representations on this application. Cllr Mrs J Twigg also knows a number of the public speakers

Item 9

Cllr Mrs L Roberts and Mr R Helliwell had received a letter from the occupier of a neighbouring property.

Cllr C Carr, personal, as he had known the applicant in the past.

Item 13

Cllr Mrs J Twigg and Cllr D Williams, Personal, as they were both Members of Derbyshire County Council who were proposing the parking order.

Item 16

Cllr D Chapman, personal, as he knew the site owner through Hartington Parish Council.

129/16 PUBLIC PARTICIPATION

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

130/16 VARIATION IN ORDER OF BUSINESS

In accordance with Standing Order 1.13 the Chair agreed to vary the order of business so that agenda items 15 and 16 would be considered immediately after item 5.

131/16 EXEMPT INFORMATION S100(A) LOCAL GOVERNMENT ACT 1972

RESOLVED:

To exclude the public from the meeting during consideration of Agenda Item No 16 to avoid disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 6 "Information which reveals that the Authority proposes a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment."

PART B

SUMMARY

The Committee determined the following item, full details of which are in the exempt minute:

132/16 Prohibition Order
PART A

133/16 MONITORING & ENFORCEMENT QUARTERLY REVIEW - OCTOBER 2016

Members considered and noted the monitoring and enforcement quarterly review for October. As Member Representative for Planning Enforcement Cllr D Chapman addressed the Committee providing examples of some of the issues faced by the enforcement team.

Following the discussion it was suggested that a copy of the report and presentation be sent to the Peak Park Parishes Forum for information.

RESOLVED:

To note the report.

134/16 FULL APPLICATION - CHANGE OF USE OF FORMER WOOD YARD TO STORAGE AND TRANSHIPMENT OF BLOCKSTONE AT FORMER WOOD YARD, PARK LANE, ROWSLEY

It was noted that this application had been deferred at the August meeting of the Committee to obtain further information and that Members had visited the site in August.

It was confirmed that since August the applicant had provided more information on the swept plan analysis, the proposed visibility splay and the signage to be displayed in land under the control of the applicant. It was noted that the applicant had included proposals to provide passing bays down Park Lane.

In introducing the report the officer recommendation was amended to add the words "and the amenity of the area" to reason 4.

The following spoke under the Public Participation at Meetings Scheme;

- Mr Howard Griffith, Objector,
- Mrs Rosalind Griffith, Objector,
- Ian Mortimor on behalf of Parish Council, Objector
- Sue Fogg, Objector
- John Hollister, Agent

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

RESOLVED:

To REFUSE the application for the following reasons:

1. **The proposal fails to justify why this ancillary minerals development is required to be located within the National Park and no alternative sites have been considered. The proposal would unacceptably impact on the overall character of the area and the objectives of the National Park. There is no justified need for the development which outweighs the harm to the National Park. Thus, the development is contrary to requirements of Core Strategy policies GSP1, L1, and the saved Local Plan policies LM9 LM1 and**

conflicts with the conservation objectives for the National Park set out in the National Planning Policy Framework.

- 2. The change of use of the land would lead to an increased industrialisation of the site and would have a detrimental effect on the character, amenity and enjoyment of the locality. This does not contribute to the conservation or enhancement of the National Park, and is contrary to policies GSP1, GSP3, L1, and the saved Local Plan policies LC21 and LM1 and conflicts with the National Planning Policy Framework in particular paragraph 115 and 116.**
- 3. The proposal is for business development in the countryside outside the Natural Zone and outside the named settlements in policy DS1, and is not in accordance with the principles in policy E1 relating to business development outside of settlements.**
- 4. It has not been demonstrated that the site has a safe and suitable access. The proposal would unacceptably impact on users of the highway network and the amenity of the area. The application fails to demonstrate that the development could be accessed to and from the A6 without a detriment to highway safety and the amenity of the area. Therefore, the change of use would not be provided with a safe and suitable access contrary to requirements of policies T1, and T4 and the saved Local Plan policies LT9 and national planning policies in the framework.**
- 5. The proposal would have an unacceptable impact on the amenity of recreational users of Park Lane and on potential recreational users of the former railway line and this may compromise the viability of the Pedal Peak project to re-use the old railway line between Rowsley and Bakewell contrary to policy T6.**

Cllr D Chapman left the meeting at 11.40am during consideration of this item.

135/16 FULL APPLICATION - EXTENSION TO EXISTING HIDES' BUILDING AND PROPOSED ADJOINING NEW BUILDING TO ENCOMPASS PROCESSING OF ANIMAL BY-PRODUCTS TO EXTRACT OIL FOR ON-SITE ELECTRICITY GENERATION, THE KNACKERS YARD, MAIN ROAD, FLAGG

Cllr Mrs K Potter, Cllr C Carr and Cllr D Chapman had previously declared personal prejudicial interests in this application and left the room.

It was noted that the Committee had visited the site in July and this application had subsequently been deferred at the August meeting of the Committee to clarify the views of Flagg Parish Council. It was confirmed that by a narrow margin the Parish Council had voted not to support the application. It was also noted that since August a further 6 objections had been received relating to traffic, air pollution and odour.

The Director of Conservation and Planning clarified the relevance of a fall-back position in which permitted development rights would allow the applicant to install the proposed processing plant in one of the existing buildings on site without the need for planning permission.

The officer recommendation to refuse the application was amended to remove the words "at speed" from the second reason.

The following spoke under the Public Participation at Meetings Scheme;

- Brenda Murray, Objector
- Mr Alan Westwood Objector
- Brent Barber, Objector
- Ms Deborah Oliver
- Richard Thornhill, Agritech Ltd, Supporter
- Grant Hattle, NFU Insurance, Supporter
- Simon Frost, Supporter
- Gregg Blythe, Supporter
- Louise Ashby, Supporter
- Graham Bolton, Agent

Contrary to the Officer recommendation, a motion to approve, subject to conditions, was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

Time Limit

1. **The development hereby permitted shall be begun within 3 years from the date of this permission.**

Amended Plans

2. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans, Drawing No.s 041-05 P401 Revision A, 041-05 P404 Revision A, 041-05 P405 Revision A, 041-05 P406 Revision A all received by the National Park Authority on 10 May 2016 subject to the following conditions or modifications:**

Landscaping

3. **No development shall take place until there has been submitted to and, approved by the National Park Authority and then implemented a scheme of landscaping, including tree and shrub planting, seeding or turfing, earth mounding, walling, fencing, paving or other surfacing as necessary. The scheme shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and including the replacement of any dead trees and shrubs.**

Design Details

4. **The external profiled sheeting for the building hereby permitted shall 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.**
5. **Prior to the installation of any storage containers, or the external flue, full details of their external finish, shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried**

out in accordance with the approved specification and shall be permanently so maintained.

Environmental Health

- 6. The implementation of the recommendations set out in the noise report submitted by the applicant.**
- 7. No development shall take place until there has been submitted to and approved by the National Park Authority and then implemented an odour control scheme.**

At 1.10pm, during consideration of this item, in accordance with Standing Order 1.10 the Committee resolved to continue the meeting beyond three hours.

Following this item the meeting was adjourned for lunch at 1.40pm and reconvened at 2.05pm. After lunch the following Members were present:

Chair: Mr P Ancell

Present Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Cllr J Macrae, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg and Cllr D Williams

136/16 FULL APPLICATION - CHANGE OF USE OF FORMER PORTAL FRAMED BUILDING TO A BUILDING USED FOR COMMUNITY EVENTS, WEDDINGS AND OTHER CELEBRATIONS AND EVENTS (USE CLASS D2 ASSEMBLY AND LEISURE) (RETROSPECTIVE), EXTERNAL ALTERATIONS AND EXTENSION TO EXISTING BUILDING TO FORM AMENITIES BLOCK AND ASSOCIATED CAR PARKING PROVISION AT LOWER DAMGATE FARM, ILAM MOOR LANE, ILAM

It was noted that this application had been deferred at the August meeting of the Committee for suitable consideration of conditions that may be imposed and allow further consideration of the planning merits of the proposals. It was also noted that Members had visited the site in August.

John Scott, Director of Conservation and Planning, clarified that he had declared an interest in this application at the August Planning Committee because he had carried out planning consultancy work for one of the people who had registered to speak at that meeting, but he did not consider this interest to be prejudicial so he would be presenting the report at this meeting. He then highlighted paragraphs in the report referring to a complaint from a former neighbour alleging that false representations had been submitted in their name. John Scott confirmed that although this matter was currently under investigation it did not impact on any decision taken by the Committee as the representation concerned had not been referred to in the original report and it had not influenced the original recommendation or the decision made at the previous meeting. It was also confirmed that all the other representations received in respect of this application had been verified and no further discrepancies had been identified.

The following spoke under the Public Participation at Meetings Scheme;

- Mrs Marian Beloe, Supporter
- Mr Izzard, Supporter

- Cllr E Wain, District Councillor, Supporter
- Tim Hegan, Noise Specialist, Supporter
- Andrea Clarke, Objector
- Mr Kenneth Wainman, Agent

Contrary to the officer recommendation, a motion to approve the application with an annual limit of 12 events subject to conditions, the detailed wording of which to be delegated to the Director of Conservation and Planning in consultation with the Chair and Vice Chair of the Committee was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to conditions, the detailed wording of which to be delegated to the Director of Conservation and Planning, in consultation with the Chair and Vice Chair of the Committee, to cover the following:

1. **An annual limit of 12 events with more than 30 guests and a limit to the number events in one week.**
2. **A limit to the hours in which events with more than 30 guests can take place.**
3. **Restrictions on the playing of amplified and acoustic music.**
4. **Weekly limits on the number and hours of events with less than 30 guests including workshops or community events.**
5. **Restrictions on the use of land to the west of the building.**
6. **Maintaining for inspection a register of all events and workshop bookings.**
7. **Alterations to existing building**
8. **Construction Phase**
9. **Machinery including Air Conditioning and Ventilation Systems**
10. **Noise attenuation**
11. **External Lighting**
12. **Travel Plan**
13. **Parking and Access**
14. **Landscaping**

In accordance with Standing Order 1.12(2) Cllr P Brady, Mr R Helliwell and Cllr Mrs L Roberts asked that their vote against this decision be recorded.

At 3.20pm, following consideration of this item, Cllr H Laws, Cllr Mrs K Potter and Cllr C Carr left the meeting.

137/16 FULL APPLICATION - ERECTION OF SMALL STORE, HORSESHOE COTTAGE, BACK LANE, ALSTONEFIELD

The following spoke under the Public Participation at Meetings Scheme;

- Mrs Mandy Turley, Applicant

RESOLVED:

To REFUSE the application for the following reason:

By virtue of the outbuilding's size, siting and use of materials, it would fail to reflect the local building vernacular, and thereby detract from the valued characteristics of the traditional cottage and its setting. Moreover, the outbuilding would be seen from public vantage points, exacerbating the harmful impact on the cottage, its immediate surroundings and the wider landscape impact, therefore failing to conserve the character of the landscape and scenic beauty of the National Park more widely. As such, the development is contrary to policies in the National Planning Policy Framework (NPPF), Core Strategy Policies GSP1, GSP2, GSP3, DS1, L1 and Local Plan Policies LC4, and LH4.

Cllr J Macrae left the meeting at 3.35pm, following consideration of this application.

138/16 FULL APPLICATION - EXTENSION/RE-MODELLING OF LOWER GROUND FLOOR AND RENDERED REAR EXTENSION AT GROUND FLOOR, SPITAL HOUSE, HOW LANE, CASTLETON

The following spoke under the Public Participation at Meetings Scheme;

- Mr Nigel Topping, Neighbour and Objector
- Brian Moorhouse, Castleton Parish Council
- Alan Baskerville, Applicant

A motion to approve the application subject to conditions was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application 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 accordance with the submitted plans, drawing numbers BHC_PL007 (proposed lower ground floor plan), BHC_PL008 (proposed ground floor plan), BHC_PL009 (proposed roof plan), and BHC_PL010 (proposed elevations), received by the National Park Authority on 29th June 2016 and subject to the following amendments;**
 - i) **The walls of the lean-to extension shall be clad with a red brick to match the main house to be approved by the authority before construction commences.**
 - ii) **Rooflights to be conservation type and fitted flush with the roof slope and no windows to be included in the side of the extension.**

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. The existing garaging shown on the approved plans shall be retained for the garaging of domestic vehicles throughout the lifetime of the development hereby permitted.

139/16 OUTLINE APPLICATION - PROPOSED 12 NO. ONE BEDROOM FLATS, ENDCLIFFE COURT, ASHFORD ROAD, BAKEWELL

A motion to refuse the application was moved, seconded put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

1. Core Strategy policy E1D requires safeguarding of the existing land and buildings for business use where they are in high quality suitable locations such as Deepdale Business Park. As the location is considered to be appropriate for business use, the proposal is contrary to policy E1D.
2. Policy HC1 does not permit new open market housing other than as an enhancement to a previously developed site. As this proposal offers no enhancement it is contrary to policy HC1.

140/16 PROPOSED WAITING RESTRICTIONS AND ON-STREET CHARGES ORDER 2016 HOW LANE, BACK STREET, BARGATE, MILLBRIDGE, CASTLE STREET AND BUXTON ROAD, CASTLETON

The following spoke under the Public Participation at Meetings Scheme;

- Mr N Fisher, Castleton Parish Council, Supporting Authority

Subject to adding the word “strongly” the officer recommendation objecting to the proposed scheme was moved, seconded, put to the vote and carried.

RESOLVED:

1. **To STRONGLY OBJECT to the proposed scheme on the following basis:**
 - i) The proposed introduction of Pay and Display Parking Bays and associated signage and ticket machines on Back Street and Castle Street will extend the urbanising effect of existing lining and signing on the historic setting of Castleton village centre. In particular the proposal will have a negative impact on the setting of the Grade II* Listed St Edmunds Church.
 - ii) The proposed introduction of Pay and Display Parking Bays and associated signage and ticket machines on How Lane will encourage parking in a location where it is currently prohibited between 9am and 5pm on weekend days and Bank Holidays. The proposed scheme is likely to restrict the flow of traffic at this location when the village is at

its busiest i.e. weekend days and Bank Holidays. There are also potential safety concerns in relation to pedestrians crossing How Lane to and from the Bus Station and to access shops / businesses on both sides of the road. In addition, the introduction of a ticket machine may also restrict pedestrian and disabled access on the narrow pavement on the south of How Lane.

- iii) The 'No Waiting at Any Time' proposals on How Lane, Back Street and Bargate in the main replace existing Limited Waiting orders, with their associated lining and signing. However, these proposals are a traffic management measure to mitigate against the displacement of parked vehicles as a result of the introduction of new On-Street Pay and Display Bays. Their need would be negated if the proposed On-Street Pay and Display Bays are not introduced.
- iv) The introduction of 'No Waiting at Any Time' proposals on Millbridge with any associated lining and signing will have an urbanising effect on the relatively rural character of the location. It is unclear from the proposals what the driver is for them. Under the circumstances it is difficult to assess the need against the impact on the Conservation Area and the passage from village to open countryside at this location.

- 2. To support the proposed retention of existing Pay and Display Parking Bays on Buxton Road, on the basis that the machines are maintained in an operating condition; and that the redundant machines associated with the Parking Bays west of the entrance to Dunscar Farm and not covered by the proposed Order are removed.

141/16 HEAD OF LAW REPORT - PLANNING APPEALS

RESOLVED:

To note the report.

The meeting ended at 4.30 pm