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## **MINUTES**

Meeting:	<b>Planning Committee</b>
Date:	Friday 12 January 2018 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 A Hart, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Cllr J Macrae, Cllr Mrs K Potter and Cllr Mrs L C Roberts
Apologies for absence:	Cllr D Birkinshaw, Cllr A Law, Cllr Mrs J A Twigg, Cllr A McCloy and Cllr F J Walton.

### **1/18 MINUTES OF PREVIOUS MEETING**

The minutes of the last meeting of the Planning Committee were approved as a correct record subject to minute 147/17 being amended to remove the reference to Cllr Mrs C Howe having a personal interest in this item.

### **2/18 URGENT BUSINESS**

There was no urgent business.

### **3/18 MEMBERS DECLARATIONS OF INTEREST**

Item 7

It was noted that all Members knew the applicant as he was a Member of the Authority.

Cllr C Howe declared a personal interest as she knew the applicant both as a Member of the Authority and a fellow Councillor at High Peak Borough Council. She reported that although she would remain in the meeting during the discussion she would abstain from voting.

Mr Robert Helliwell declared a personal and prejudicial interest as he was a friend of the applicant and his partner, and was a customer of his business. He reported that he would leave the meeting during consideration of this item.

Cllr D Chapman declared a personal and prejudicial interest as he was a friend of the applicant and his partner. He reported that he would leave the meeting during consideration of this item.

Item 10

Cllr A Hart declared a personal interest as he knew both the speakers.

Cllr K Potter declared a personal interest as she knew one of the speakers as a Member of the Authority.

**4/18 PUBLIC PARTICIPATION**

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

**5/18 FULL APPLICATION - EXTENSION AND ALTERATIONS, RE-ORGANISATION OF DRIVE AND GARDEN AREA, NEW DOUBLE GARAGE AND ANCILLARY ACCOMMODATION AT GATEHOUSE FARM COTTAGE, GATEHOUSE LANE, HATHERSAGE**

It was noted that this application had been considered by committee at the December meeting and deferred to allow amendments to the design of the extensions to be discussed.

The Officer reported that since the report was written, a further letter of objection had been received by the Authority from the neighbour, and summarised the key issues.

The Planning Officer reported that the plans had been amended. It was still considered that the scale, massing and location of the proposals were not acceptable and had a significant unneighbourly impact on residents of the neighbouring property.

The following then spoke under the Public Participation at Meetings Scheme

- Sarah Marsh - Objector
- Paul Batty – Partner of Applicant

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

**RESOLVED:**

**That the application be REFUSED for the following reasons:**

1. **By virtue of its form it is considered that the proposed extension would result in a form of development that does not reflect the local building tradition so it would not contribute to the enhancement of the site and its setting. The resulting development, whilst offering some enhancement, would nonetheless result in a much larger building with inappropriate massing, contrary to Core Strategy policy GSP2, GSP3 and Local Plan policy LC4 and LH4, the Authority's adopted design guide and detailed design guide, and the National Planning Policy Framework.**
2. **By virtue of its position and proximity to the neighbouring property known as Gatehouse Farm, it is considered that the proposed extension would be overbearing and oppressive and create additional over-shadowing which cumulatively would harm the residential amenity of occupants of that**

**property contrary to Core Strategy policy GSP3, saved Local Plan policy LC4 and LH4, the Authority's adopted design guide and detailed design guide and the National Planning Policy Framework.**

**6/18 FULL APPLICATION - LOFT CONVERSION INCLUDING RAISING OF ROOF HEIGHT/NEW DORMER WINDOWS AT LYDGATE BUNGALOW, ASHOPTON ROAD, BAMFORD.**

Members had visited the site on the previous day.

It was noted that the applicant, Cllr J Walton, was a member of the Authority.

Members were reminded that a personal interest had been declared by Cllr C Howe and that she would abstain from voting and that Cllr D Chapman & Mr R Helliwell declared personal and prejudicial interests and left the meeting during consideration of this item.

This item had been deferred at the Planning Committee meeting in May 2017 to allow further discussion with the applicant on an amended scheme.

The Planning Officer reported an amendment to the report on Page 35 which should have read the 'planning approval in 2001, which was for a replacement dwelling' rather than "planning approval in 2001, which was tantamount to allowing a replacement dwelling"

The Planning Officer then highlighted changes to the application which, apart from the large patio doors, were considered to be more in keeping with the character of the local building tradition than previously.

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

**RESOLVED:**

**To APPROVE the application subject to the following conditions:**

- 1. Commence development within 3 years.**
- 2. Adopt amended plans, subject to minor design conditions covering materials, window and door details, etc.**

Following this item the meeting was adjourned from 11:05am to 11:10am

Following the adjournment Cllr D Chapman and Mr Robert Helliwell returned to the meeting.

**7/18 FULL APPLICATION - MODIFICATIONS TO EXISTING OUTBUILDING TO FORM LETTING BEDROOMS AND CONSTRUCTION OF NEW BUILDING TO PROVIDE LETTING BEDROOMS ASSOCIATED WITH THE LADYBOWER INN AND CAR PARK ALTERATIONS - LADYBOWER INN, LADYBOWER, BAMFORD.**

Members had visited the site on the previous day.

The Planning Officer introduced the report and suggested that the recommendation be amended so that condition 7 required the planting scheme to be maintained for 5 years, and additional conditions requiring the submission and approval of plans for locating the construction compound and a landscaping scheme with details on how the trees would be protected. He also explained that as the proposal was a departure from the Development Plan because part of the site falls within the Natural Zone, it should be advertised as a departure.

Members suggested additional landscaping conditions to cover the car park area, and outside lighting. There was concern that there was no disabled access to the building and no provision for disabled spaces in the car park. It was agreed that there should be an additional condition requiring that disabled access should be provided.

Subject to additional conditions, the Officer recommendation to approve the application was moved, seconded, put to the vote and carried.

**RESOLVED:**

**Subject to no objections being raised following 28 days advertising as a departure from the development plan, the application is APPROVED subject to the following conditions:**

- 1. 3 year time limit**
- 2. In accordance with revised plans**
- 3. Development to remain ancillary to pub, with 28 day holiday let occupancy restriction**
- 4. Materials to match existing**
- 5. Notwithstanding the submitted information details of drainage and foul water treatment to be agreed prior to commencement**
- 6. Archaeological monitoring**
- 7. Compensatory Natural Zone planting, and car park planting and landscaping to be implemented in the first planting season following commencement of the development and thereafter maintained for 5 years.**
- 8. Minor architectural and design details, including omission of barge boards or fascia's**
- 9. Agree the position of a construction compound and management plan so the car park spaces are maintained during the construction period and that the spaces comply with the Highway Authority concerns.**

10. **Submit and agree a detailed landscaping scheme to strengthen the screen planting around the car park extension, the boundary treatment and the opportunities for adapting the layout of the car park and provision for protection of the 2 existing trees.**
11. **Submit and agree a lighting scheme comprising low level lighting**
12. **Gable lintel & doorway surround retained in-situ when opening infilled.**
13. **Photographic record of building before change**

**Footnote**

1. **Provision of disabled access to the accommodation.**

**8/18 FULL APPLICATION - CHANGE OF USE OF AGRICULTURAL WORKERS DWELLING TO HOLIDAY ACCOMMODATION (RETROSPECTIVE) AT BOOTH FARM, WASHGATE LANE, HOLLINSCLOUGH**

The Planning Officer reported that this was a retrospective application as the use had already commenced, and was unauthorised following an unsuccessful application for a Lawful Development Certificate. It was noted that a further letter of support from the Parish Council had been received since the report had been published.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Kevin Mycock – Applicant

Members noted that the applicant had informally approached local farmers to establish whether it could be used by an agricultural worker, but none had been found. .

Members noted that agriculture had changed over the years, so that the demand for worker's accommodation was not as it has been, but Members shared the Officer view that before permanently changing the use of the property documented evidence of unsuccessful attempts to market the dwelling was needed. Members supported a temporary change of use to holiday accommodation to allow this marketing to take place.

A motion for a 3 year temporary approval subject to conditions was moved and seconded, put to the vote and carried.

**RESOLVED:**

**To APPROVE a 3 years temporary permission to change the use to holiday accommodation subject to the following conditions:**

1. **28 day holiday let restriction and the use should remain ancillary to the farm.**

**9/18 S.73 APPLICATION - FOR THE REMOVAL OR ALTERATION TO CONDITION 4 (HOLIDAY OCCUPANCY CONDITION) FROM PLANNING CONSENT NP/SM/0106/0032, OLD DAINS MILL, UPPER HULME**

Cllr A Hart declared a personal and prejudicial interest as he realised that he knew the applicant so left the room during consideration of this item.

Cllr L Roberts declared an interest as she was Chair of an adjoining Parish Council.

The Planning Officer reported that there was one amendment to the report on page 65 which should read "That by virtue of the distance between the site and the main built up area of Upper Hulme".

The Officer then introduced the proposal. This application was a re-submission of an application made in 2016 to remove the holiday condition, to allow the building to be converted and used as a permanent open market house. The applicant had stated that due to the cost of restoring the building and the loss of grant funding to complete work inside, the building was no longer viable as a holiday let.

The following spoke under the Public Participation at Meetings Scheme

- Mr Rob Duncan – Agent
- Cllr Mrs Gill Heath – Supporter

It was noted that consideration had been given to splitting the property to use it as affordable housing; however given the work required to carry out the works and the impact this would have on the character and appearance of the building, this was also not appropriate.

Members considered that as the conversion of the building had not been completed and the applicant had demonstrated that in order to achieve the conservation of the building and to ensure it has a long-term sustainable use, an open market dwelling would be in accordance with policy. A motion to approve the removal of the condition contrary to the Officer recommendation was moved, seconded, put to the vote and carried.

**RESOLVED:**

**To APPROVE the removal of Condition 4 in Planning Decision NP/SM/0106/0032 restricting the occupancy of the application building to short let holiday residential use subject to repeating the other conditions from the previous approval and to an additional condition removing Permitted Development Rights.**

Cllr A Hart returned to the meeting at 12.40pm following consideration of this item.

**10/18 MONITORING & ENFORCEMENT QUARTERLY REVIEW - JANUARY 2018**

Members considered a report summarising the work carried out by the Monitoring & Enforcement Team over the previous quarter, covering the period October – December 2017.

In introducing the report the Monitoring & Enforcement Team Manager reported that in the table on Page 77 the number of enquiries received should be recorded as 110 not 87.

The Monitoring & Enforcement Manager then went on to explain the designation of 3 Cases as "Not expedient to take Enforcement Action." He also highlighted and displayed photographs of 3 cases where enforcement action had been successful.

It was noted that future quarterly reports would record the number of enquiries by cases rather than as individual enquiries as at present.

Members welcomed the report.

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

## **RESOLVED**

### **That the report be noted**

During consideration of this item Cllr H Laws left the meeting at 12.40pm and Cllr J Macrae left the meeting at 12.48pm. Both returned at 12.50pm.

Cllr C Carr left the meeting at 1.00pm following consideration of this item.

The Committee voted to agree to continue the meeting beyond 3 hours in accordance with Standing Order 1.10.

## **11/18 LOCAL DEVELOPMENT PLAN ANNUAL MONITORING REPORT FOR 2016/17**

The Head of Policy & Communities introduced the report, which monitored the application and delivery of the Core Strategy and identified emerging trends.

Members welcomed the report.

## **RESOLVED:**

### **To approve the Local Development Plan Annual Monitoring Report for 2016/17.**

## **12/18 HEAD OF LAW REPORT - PLANNING APPEALS**

Members received the report on planning appeals decided during the month.

The Head of Law introduced the report and highlighted the outcome of a joint LDC/Enforcement appeal which had recently been determined following a 3 day Public Inquiry. The Inspector had dismissed the appeals, concluding that a Lawful Development Certificate could not be issued as the applicant was not able to provide sufficient evidence to prove uninterrupted use for a significant period of the 4 year period as required..

**RESOLVED:**

**To note the report.**

The meeting ended at 1:20pm.