

# Public Document Pack

Peak District National Park Authority

Tel: 01629 816200

E-mail: [customer.service@peakdistrict.gov.uk](mailto:customer.service@peakdistrict.gov.uk)

Web: [www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk)

Minicom: 01629 816319

Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



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## MINUTES

Meeting: **Planning Committee**

Date: Friday 13 April 2018 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, Cllr A Hart, Mr R Helliwell, Cllr Mrs K Potter, Cllr Mrs L C Roberts and Cllr Mrs J A Twigg

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

Apologies for absence: Cllr Mrs C Howe, Cllr A Law, Cllr H Laws and Cllr J Macrae.

### 34/18 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on the 9 March 2018 were approved as a correct record.

### 35/18 URGENT BUSINESS

There were no items of urgent business to consider.

### 36/18 MEMBERS DECLARATIONS OF INTEREST

Item 6

It was noted that all Members knew Cllr Chris Furness, who had given notice to speak as a member of the Authority.

Cllr Judith Twigg declared a personal interest as she had received emails relating to this application and knew the officers from Derbyshire Dales District Council who were speaking regarding this application.

Cllr David Chapman declared a personal interest as he had received emails relating to the application.

Item 8

Cllr Mrs Lesley Roberts declared a personal interest as she had received an email from Caroline Keightley relating to the application.

Cllr Andrew Hart declared a personal interest as he had received an email relating to the application.

Cllr Paul Ancell declared a personal interest as he had been made aware of the email from Caroline Keightley to Cllr Mrs Lesley Roberts

Item 9

Cllr Andrew McCloy declared a personal interest as he is a member of the Parish Council for Youlgrave. He stated he had an open mind on the application.

Item 11

Cllr Patrick Brady declared a personal interest as he knew the agent Jim Murphy who is an acquaintance but had not discussed this application with him.

Item 13

All Members declared personal interests as the application was made by the Peak District National Park Authority.

## **37/18 PUBLIC PARTICIPATION**

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

## **38/18 FULL APPLICATION - CONSTRUCTION OF 30 AFFORDABLE DWELLINGS AND ASSOCIATED WORKS AT LADY MANNERS SCHOOL, SHUTTS LANE, BAKEWELL**

Members had visited the site on the previous day.

The planning officer introduced the report and noted an error on page 16 of the report as the planning application number should have read NP/DDD/0917/0934.

The application had originally been for 36 properties but the number had been reduced due to the presence of a Churt Mine in the area.

Demolition of the pre-fabricated building on site had already been approved and it had been agreed that the environmental impact was not significant.

The site was situated outside the Bakewell development boundary but a survey to identify alternatives failed to find a suitable site other than one which the owner did not want to release for development.

The location of the Pretoria Churt Mine had archaeological implications as well as an impact on surface stability which had been taken into account during the planning application.

Following consultation with Sport England, regarding the loss of the playing field at the school, the developer agreed to make a contribution of £49,538 for the provision, off site, of alternative playing fields for Bakewell Mannerians Rugby Club instead of on the school grounds. The new playing fields have the benefit of planning permission already.

The Highways Authority has requested an additional condition regarding the detail and design of the turning head to avoid obstructing visibility.

The Planning officer explained that as the development was for more than 10 houses it could be classed as “major” development but that officers considered that the impacts of the development would not be so significant as to require the development to meet the major development test set out in the framework and in policy. She also explained that the development had been screened and did not require an Environmental Impact Assessment.

The following spoke under the Public Participation at Meetings Scheme:-

- Cllr Chris Furness, Authority Member – Supporter
- Mr David Coe, Chair of Governors – Supporter
- Ms Isabel Cogings, Rural Housing Enabler – Supporter
- Mr Robert Cogings, head of Housing, Derbyshire Dales District Council – Supporter

Members requested that consideration be given to the provision of dustbins and whether the provision of community dustbins by the developer or Derbyshire District Council would be suitable.

Members congratulated the Planning Officers on the production of a good report and the work that had gone into the scheme.

The Officer recommendation to approve the application subject to conditions was moved and seconded.

Members had concerns regarding traffic on the roads around the site, particularly along Monyash Road and requested that the Highways Authority be asked to extend the 30mph speed limit in the area. Other highways issues may be caused by the displacement of cars that use Shutts Lane during the school day as the creation of the access road would reduce the number of parking spaces on the road and the impact on the safety of pedestrians.

Members discussed the energy efficiency of the development which met Core Strategy Policy CC1 but did not include any energy generating additions to the buildings. The developer did not have the funds to introduce energy generating equipment to the development as the additional costs would impact on the affordability of the development.

Members requested an update on the impact on badgers known to use the site as the previous ecology survey was now out of date. Officers confirmed that a new survey would be completed and a replacement sett would be provided on land already identified.

Members requested that Condition 13 was re-worded as the meaning was not clear.

Condition 18 was included because of the restricted space and the density of the development although the application has provided details for the siting of sheds.

The Planning Officer confirmed that the communal areas will be maintained by the Housing Association.

The officer recommendation to approve the application subject to changes to the conditions was put to the vote and carried.

**RESOLVED:**

To **APPROVE** the application subject to a section 106 agreement to secure a financial contribution of £49, 536.90 towards the provision of one rugby pitch on Shutts Lane (as approved under application ref NP/DDD/0617/0600) and to restrict occupancy to those with a local need and the following conditions:

1. 2 year time limit
2. Adopt amended plans
3. Submit and agree Written Scheme of Investigation for programme of archaeological work. Thereafter development to take place only in accordance with agreed scheme. Site investigation and post investigation assessment to be completed and archive deposited before any of the dwellings first occupied.
4. Updated badger survey and report to be submitted to the Authority detailing the findings of the survey together with detailed recommended mitigation and compensation measures as appropriate. Once agreed the mitigation and compensatory measures to be completed in full.
5. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
6. Construction management plan/method statement to be submitted and agreed.
7. No development shall take place until an adequate temporary access for construction purposes has been provided to Shutts Lane in accordance with a scheme to be submitted and agreed.
8. The dwellings the subject of the application shall not be occupied until a permanent estate street junction has been formed to Shutts Lane, located, laid out, constructed and provided with 2.4m by 47m visibility splays in either direction, all in accordance with the approved drawings, the area in advance of the sightlines being levelled, forming part of the new street constructed as footway and not forming part of any plot or other subdivision of the site.
9. Within 28 days, (or other such period of time as may be agreed with the National Park Authority) of the permanent access being constructed all other means of access to Shutts Lane (existing or temporary) shall be permanently closed and the existing vehicle crossover(s) reinstated with full height kerb and appropriate footway/verge construction in accordance with a scheme first submitted and approved in writing by the Authority.
10. No development shall take place until construction details of the residential estate road and footways (including layout, levels,

gradients, surfacing and means of surface water drainage) have been submitted to and agreed in writing by the Authority.

11. The carriageways and footways shall be constructed in accordance with the details approved under condition 10 above, up to and including the binder course surfacing, to ensure that each dwelling, prior to occupation, has a properly consolidated and surfaced carriageway and footway between the dwelling and the existing public highway. Until the final surfacing is completed the footway binder course shall be provided in a manner to avoid any upstanding gullies, verges and other such obstruction within or abutting the footway. The carriageways and footways in front of each dwelling shall be completed with final surface course within 12 months (or 3 months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Authority.
12. The dwellings, the subject of this application shall not be occupied until the estate street has been provided with suitable turning arrangements to enable service and delivery vehicles to turn, all as may be agreed in writing by the Authority.
13. No house will be occupied until the relevant car parking space has been provided.
14. All private and shared driveways and parking spaces within the site shall not be taken into use until provided with 2.4m x 25m visibility splays, the area in advance maintained free from any obstruction exceeding 1m (600mm if vegetation) relative to the adjacent carriageway channel level and 2m x 2m x 45 degrees pedestrian inter-visibility splays on either side of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.
15. No gate, including any part of their opening arc shall be permitted to open out over the public highway limits.
16. Works shall not commence until a scheme for the disposal of highway surface water has been submitted to and approved in writing by the Authority. The scheme shall thereafter be implemented in accordance with the approved details prior to occupation of the dwellings and retained accordingly thereafter.
17. Vehicle accesses shall be no steeper than 1 in 20 for the first 5 metres from the nearside highway boundary.
18. Remove permitted development rights for alterations, extensions, outbuildings, gates, fences, walls and solar panels.
19. Hard and soft landscaping scheme (including details of drystone walls) to be submitted and agreed in writing.
20. No work on site shall take place on Sundays or Bank Holidays or before 8am nor after 6pm on weekdays and before 9am nor after 1pm on Saturdays unless otherwise agreed in writing.
21. Sample panel of stonework including quoins and heads and cills to

windows to be agreed.

22. Sample of render and blue roof slates to be submitted and agreed in writing.
23. Details of design and finish of windows and doors to be submitted and agreed in writing.
24. Before work commences on the external sheds, details of their design and materials shall be submitted to an agreed in writing by the Authority. Thereafter the sheds shall be constructed in accordance with the agreed details before the dwellings are first occupied.
25. Before any work commences on external lighting, lighting scheme to be submitted to and agreed in writing by the National Park Authority.
26. No trees or hedgerows to be removed other than those referred to on the approved plans. Trees to be retained to be protected in accordance with BS5837.
27. Environmental Management plan to be fully implemented.
28. Minor Design Details.
29. Details and design of turning head to be agreed with Highways Authority, Derbyshire County Council to avoid obstruction of visibility.

*The meeting was adjourned from 11.10 to 11.15am for a short break.*

**39/18 OUTLINE APPLICATION - PROPOSED FOUR AFFORDABLE/LOCAL NEED FLATS AND EIGHT OPEN MARKET FLATS. PLOT 3 AND 11A, DEEPDALE BUSINESS PARK, BAKEWELL**

Members had visited the site on the previous day.

The Planning Officer introduced the item making it clear that this was an application for outline permission only.

The Officer recommendation to refuse the application for outline permission was moved and seconded.

Members discussed concerns regarding the overdevelopment of the site and the loss of green spaces. There were concerns regarding parking as there were already problems with many cars on site. Members suggested that the green spaces be used for parking if they were to be developed.

The Officer recommendation to refuse the application for outline permission was 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. Furthermore, it is considered that the development would not deliver a significant amount of affordable housing to justify new open market housing and is therefore also contrary to the National Planning Policy Framework and the guidance provided within English National Parks and Broads: UK Government Vision and Circular 2010.

**40/18 FULL APPLICATION - TO CHANGE THE USE OF THE CURRENT DINING ROOM AT THE CRAG INN INTO A BOTTLING PLANT FOR BOTTLING ON SITE SPRING WATER AT THE CRAG INN, WILDBOARCLOUGH**

The Planning Officer introduced the item for an extension to the current business. The current business is not financially viable and the bottling and selling of the water from the borehole would create a new revenue stream which it was hoped would help to sustain the public house.

Consultation with the legal officer would take place regarding a change to Condition 5 of the report.

The following spoke under the Public Participation at Meetings Scheme:-

- Mr Doran Binder, Owner - Supporter

Members discussed condition 6 and questioned why the water could not be sold from the public house. Officers agreed to change this condition to allow some sales over the counter from the public house.

The officer recommendation to approve the application subject to conditions was moved.

Members discussed concerns regarding limited opening times of the pub which the applicant stated was due to the poor revenue from the pub business which does not allow for the costs of employment of any staff. It was hoped the additional income from the water sales would encourage longer pub opening times.

The officer recommendation to approve the application subject to changes to the conditions was seconded.

The applicant confirmed that all necessary testing of the quality of the water to be sold was carried out.

The motion for approval of the application subject to amended conditions was voted on and carried.

**RESOLVED:**

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

1. **3 year temporary consent.**
2. **Adopt submitted plans.**
3. **Water bottling use and any associated storage to be restricted to the dining room shown on the approved plans and the enclosed yard area directly to the east of the public house only.**
4. **Any operation of machinery associated with the water bottling use and any deliveries or other activities in the yard area associated with the water bottling use to be restricted to between the hours of 08.30 and 18.00 only.**
5. **No more than 500 crates per day (or 5000 litres per day whichever is the lesser) of water shall be produced and bottled from the site and no more than 500 crates (or 5000 litres) shall be distributed from the site.**
6. **There shall be no direct retail sales of the bottled water from the application site other than for consumption within the public house and direct sales of bottled water through the bar.**
7. **The water bottling use hereby approved shall cease completely if the Crag Inn ceases to trade as a public house.**

*Cllr Mrs Judith Twigg left the meeting at 12 noon.*

**41/18 FULL APPLICATION - PROPOSED RE-MODELLING OF EXISTING HOUSE WITH EXTENSION AND REPLACEMENT GARAGE AT AFE WAE, BRASSINGTON CLOSE, YOULGRAVE**

The Planning officer introduced the item and illustrated the changes made, to the original planning application following discussions with the owner. The application before the committee was more in keeping with local design/tradition. Assessment of the impact on the Grade I listed church had been carried out and providing the rendering on the first floor was of dark colour there would be no impact on this. The colour of the render would be agreed as part of condition 3.

The following spoke under the Public Participation at Meetings Scheme:-

- Mr Stephen White, Applicant - Supporter

Members thanked the applicant and the officers for the work carried out to reach the submitted design. Members recognised the need for the larger than normal garages due to the nature of the business of the applicant who ran tours in vintage cars.

The officer recommendation to approve the application subject to conditions was moved and seconded.

Members requested that information regarding applying the design and local vernacular be included in the next round of member training.

The motion for approval of the application subject to conditions was voted on and carried.



**RESOLVED:**

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

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. Carry out in accordance with specified amended plans.**
- 3. Sample and colour of render to be approved**
- 4. Sample of stone to be approved**
- 5. Landscaping scheme to be submitted and agreed.**

*The meeting was adjourned at 12.30pm for a lunch break and reconvened at 1.00pm.*

**42/18 FULL APPLICATION - EXTENSION TO CARE HOME AT THE LODGE,  
MANCHESTER ROAD, HOLLOW MEADOWS**

*Cllr Andrew McCloy did not return to the meeting following lunch.*

In accordance with the Authority's Standing Orders, the meeting voted to continue its business beyond 3 hours.

Members had visited the site on a previous occasion in 2017.

The Planning Officer introduced the item. The site had permission for nine residents following the previous approval to convert the building to a care home in 2017. The officer recommendation for refusing the application was explained to be the increased scale (80% in the floor space of the original building) form and design which would harm the character and appearance of The Lodge, its setting and the wider landscape contrary to the Development Plan Policies, adopted design guidance and the National Planning Policy Framework.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Ciro Canello, on behalf of the Applicants, Supporter

Members considered that it was difficult to apply principles to this application because of the unique type of business.

Members discussed the requirement for the additional space in the rooms of the extension, it was clarified by the applicant that some residents needed more space than one room or needed larger rooms. The larger the space the better residents needs are met. With the extension, the capacity of the buildings would be 13 but the applicant stated that it is likely there will only be 10 residents.

Members raised concerns regarding the height of the glass conservatory that joined the old and new buildings and also the use of UPVC for this construction.

Members considered that the item needed further consideration by officers to include introduction of conditions and re assessment of the design of the conservatory including the proposed height and the use of UPVC.

A motion to defer the application for further discussion was moved and seconded.

Following further discussion the motion to defer the item was withdrawn.

A motion to approve the item contrary to officer recommendation was proposed with further discussion to take place between the officers and the applicant and that the final decision being made under delegated powers by officers.

Members were pleased to see part of the site for horticulture and requested that the whole site be included in the landscaping scheme.

The planning officer confirmed that the application would return for consideration by committee if concerns remained regarding the development.

**RESOLVED:**

**To delegate the decision to the Director of Conservation and Planning in consultation with the Chair and Vice Chair of the Planning Committee and following discussion with the applicant.**

*Cllr Andrew McCloy returned to the meeting at 1.20pm but did not take part in the discussion of this item.*

*Cllr Mrs Lesley Roberts left the meeting at 1.30pm.*

**43/18 FULL APPLICATION - DEMOLITION OF EXISTING FLAT ROOF EXTENSION TO BE REPLACED WITH TWO STOREY SIDE EXTENSION, BRAMBLEGATE, TIDSWELL LANE, EYAM**

Members had visited the site on the previous day

The Planning officer introduced the item and confirmed that alternative options were available to the applicant but that the applicant wanted to pursue the proposed design.

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

**RESOLVED:**

**To REFUSE the application for the following reasons:**

- 1. The excessive scale, poor design and dominant massing of the proposed plans would result in an adverse impact on the character and appearance of the property, its setting and the wider Conservation Area. The proposed plans would not be sympathetic, subservient to the original building or limited in size, would not respect, conserve and enhance the valued characteristics of the site or the surrounding landscape, and would harm the character and appearance of the existing building and its setting. As such, this application is contrary to the Extensions and Alterations SPD, and Policies GSP3, L1, LC4 and LH4 of the Peak District National Park Core Strategy**

**44/18 FULL APPLICATION - USE OF PREVIOUSLY REFURBISHED BARN AS HOLIDAY ACCOMMODATION, CONSTRUCTION OF GENERATOR AND BATTERY HOUSE AND LAYING OUT OF PARKING//TURNING AREA AT EASTSIDES LANE, LITTON**

Members had visited the site on the previous day

The planning officer introduced the application which is within a very sensitive landscape stating that officers considered the proposal to be a sensitive conversion and fits within the landscape.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Rob Smith, Agent - Supporter

Members discussed concerns regarding the report from the Cultural Heritage (Archaeology) Team which did not support the application. The Planning Officer clarified that work had already been undertaken to repair the barn. Although the Planning Officer agreed with the contents of the Archaeologists report regarding the value of the barn, they considered that the proposal would not impact on the exterior appearance sufficiently to refuse the application.

Members requested that the erection of fencing be added to condition 10 along with a condition to control use of outside buildings and garden. The Planning Officer stated that enforcing controls over garden furniture such as parasols would be difficult and therefore not suitable for a condition.

Members discussed their concerns regarding the use of a generator and the ecological implications. The Planning Officer explained that a generator was proposed because the applicant considered a mains connection was too far away to be viable.

Members requested the Condition 1 be changed to clearly state the length of the statutory time limit.

Members requested that the objection for Highways Authority also be considered.

The officer recommendation to approve the application was moved but not seconded.

A motion for refusal contrary to the officer recommendation, on grounds raised by the Authority's Archaeologist, was moved and seconded. The motion was voted upon and carried. Cllr Doug Birkinshaw requested that it was noted that he had abstained from voting.

**RESOLVED:**

**To REFUSE the application for the following reasons:**

1. **The introduction of a residential and domestic use into this agricultural site and landscape the comes with the introduction of a domestic curtilage, parking, provision of services, light pollution, septic tank, generator and its housing etc. would introduce elements that are out of place, incongruous and are harmful to this most important historic landscape. A further consideration is that the development is not on the road network of the village, but a green lane which is part of the medieval strip field system and which in the**

past simply would have provided agricultural access to the adjacent fields and Tansley Dale to the east.

2. Taking in to account the context and setting of this development, it would harm the significance of the historic landscape character and setting of Litton village. This is because it will create a visual intrusion in to a relatively rare, intact, block of former medieval strip fields in an area which is recognised as making an important contribution to the Litton Conservation Area. In addition to this, the proposed use of a generator to power the scheme will result in aural intrusion and will negatively impact visitors and residents experience of this rare, special and important landscape.
3. The development is therefore contrary to with the requirements of Local Development Framework.

*Cllr Mrs Lesley Roberts returned to the meeting at 2.15pm and had not taken part in discussions on this item.*

**45/18 FULL APPLICATION - RE-ROOFING OF THE WORKSHOP AT BRUNT'S BARN, BRUNTS BARN CENTRE, UPPER PADLEY, GRINDLEFORD**

The Planning Officer introduced the report on the application by the Peak District National Park Authority. The current corrugated cement fibre roofing material is nearing the end of its life and the supports in the roof are only strong enough to hold a light roofing material, a dark coloured plastic coated corrugated metal sheet material has been put forward for the replacement.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Peter O'Brien - Objector

Members expressed concerns regarding the use of a plastic coated material due to environmental issues with plastic and the reflective qualities of the finish.

A motion to refuse the application contrary to the officer recommendation was proposed but not seconded.

The Planning Officer confirmed that due to the weak roof support it would not be suitable to use slate for the roofing, but that in keeping with the original roof, it may be possible to replace with corrugated roofing as a like for like replacement.

Members were minded to approve the recommendation with the addition of a condition that specified the new roof would be made of fibre cement.

The motion to approve the application with a condition regarding the use of corrugated fibre cement sheets was moved and seconded.

The motion to approve the application subject to conditions including the material to be used was put to the vote and carried.

**RESOLVED:**

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

1. **Two year time limit.**
2. **Development in complete accordance with the submitted plans and specifications.**
3. **Fibre cement corrugated roofing to be used.**

*Cllr Andrew McCloy and Cllr Chris Carr left the meeting at 2.40pm following the discussion on this item.*

#### **46/18 MONITORING & ENFORCEMENT ANNUAL REVIEW - APRIL 2018**

The Monitoring & Enforcement Manager introduced the report. He drew attention to paragraphs 3.5 and 3.6 of the report which recorded that the Team's two performance targets had been met. In relation to the case at Fox Holes Farm (ref: 10/0189A) listed in paragraph 3.1, he explained that there was a backlog of appeal cases with the Planning Inspectorate (PINS) often resulting in the Authority experiencing delays of several months before the formal appeal process is started.

The officer also drew attention to the chart in paragraph 3.8, which showed that although there are a high number of outstanding breaches, a large proportion of these have been created relatively recently and there is a high turnover of cases.

In relation to case ref: 17/0055, listed in paragraph 4 of the report, Members raised the issue of untidy land and how this can be dealt with by the Monitoring & Enforcement Team. The officer explained that evidence is needed that the condition of the site adversely affects the amenity of the area as per section 215 of the Town & Country Planning Act 1990. It also needs to be expedient to take action.

Members requested that the table in Appendix 1 be reported to Committee more frequently. Members also requested a list of outstanding issues and details of where these are located.

Members requested an update on a case relating to an unauthorised agricultural building near Taddington (ref: 16/0022) which had been ongoing since October 2015. The officer explained that a retrospective application for the building was refused in August 2016 and a subsequent appeal was dismissed in February 2017. The building will become immune from enforcement action no earlier than October 2019 but, if expedient, an enforcement notice to remove it will be issued well in advance of this date.

#### **RESOLVED:**

**To note the report**

#### **47/18 HEAD OF LAW REPORT - PLANNING APPEALS**

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

#### **RESOLVED:**

**That the report be received**

The meeting ended at 3.00 pm

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