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## MINUTES

**Meeting:** **Planning Committee**

**Date:** Friday 12 December 2014 at 10.00 am

**Venue:** Aldern House, Baslow Road, Bakewell

**Chair:** Mr P Ancell

**Present:** Cllr D Birkinshaw, 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, 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:** None

### **162/14 MINUTES OF THE PREVIOUS MEETING**

The minutes of the last meeting of the Planning Committee held on 14 November 2014 were approved as a correct record.

### **163/14 PUBLIC PARTICIPATION**

Eleven members of the public had given notice to speak at the meeting.

It was noted that item 8 had been withdrawn.

### **164/14 MEMBERS DECLARATIONS OF INTEREST**

Item 6

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

Cllr Mrs L Roberts had declared a personal, prejudicial interest and was not present for the start of the meeting. She would join the meeting after this item had been considered.

Item 7

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

Item 9

Cllr D Chapman declared a personal, prejudicial interest as the applicant was a friend and Cllr Chapman had requested that this item be brought to the Committee.

Item 10

It was noted that all Members had received email correspondence from Mr Middleton and Mr Wright.

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

**165/14 FULL APPLICATION - ERECTION OF LOCAL NEEDS DWELLING ON LAND NORTH OF LAPWING FARM, ACROSS THE LEA, MEERBROOK**

The Planning officer explained a number of alternative sites had been considered with the applicant and one had been identified closer to the existing house and farm building group. However if it was pursued it would require a new application to be submitted and would incur extra building costs for the applicant and would still be a departure from policy.

The following spoke under the public participation at meetings scheme:

- Ms S Barlow, Supporter
- Mr D Breakwell, Agent
- Cllr Mrs G Heath, Supporter

Members were sympathetic to the applicant's circumstances but were also concerned about setting a precedent. Officers emphasised that policy provided consistency and that decision making needed to be consistent. They stated that approval of this application would be a departure from policy and would need to be reported back to the Planning Committee, in accordance with Standing Order 1.48, to consider the policy issues.

The officer's recommendation of refusal was moved and seconded. It was noted that there was no justification for an agricultural worker's dwelling and that the existing enforcement notice for removal of the chalet gave 18 months for compliance. However some Members felt that there were special circumstances and the motion was lost on the vote.

The Director of Planning stated that if Members were minded to accept the need for a dwelling in principle, but had concerns about the siting of the proposed house; the current application could be refused on the grounds that the site was unacceptable.

A motion for approval subject to a Section 106 agreement to ensure that when the dwelling became too big for the family or was no longer needed it would be sub-divided into two local needs houses and subject to conditions. This was seconded. The motion was then voted on and carried. It was noted that the application would be reported to the next Planning Committee meeting on 16 January 2015 under Standing Order 1.48.

**RESOLVED:**

**That the application be recommended to the next Planning Committee meeting for APPROVAL subject to a S.106 planning obligation providing for occupation by applicant's family and, when two family members leave, sub division into two affordable local need homes and obligations to affordability and local occupancy restrictions and subject to the following conditions:**

- 1. Development to commence within 2 years**
- 2. Development to be carried out in accordance with amended block plan and submitted elevational drawings**

3. **Hard and soft landscaping to be submitted to and agreed in writing by the Authority**
4. **Samples of construction materials and architectural specifications / design details to be submitted and agreed by the Authority**
5. **PD rights to be removed for alterations and extensions and outbuildings**

**Reasons:**

- **the desirability of maintaining and sustaining the viability of a rural community;**
- **the very limited opportunities to provide affordable housing within Leekfrith Parish and the adjoining Parishes;**
- **the need for the housing proposed in this application has been identified in a very recent Parish Needs Survey; and**
- **subdivision of the proposed house would provide additional housing to meet local need in the future.**

The meeting adjourned at 11.00am for a short break and reconvened at 11.10am.

**166/14 FULL APPLICATION - CHANGE OF USE OF BARN TO LOCAL NEEDS PERSON DWELLING, BASSETTS BUILDING, LONGNOR**

The Planning officer amended the report in the second paragraph under the heading "Proposals" to state this was a local needs dwelling, not an agricultural worker's dwelling.

The following spoke under the public participation at meetings scheme:

- Cllr J Hails, District Councillor and supporter
- Cllr Mrs G Heath, County Councillor and supporter

Although Members were sympathetic to the applicant some still had concerns regarding the proposal and the recommendation for refusal was moved and seconded. However this was lost on the vote.

A motion for approval was moved and seconded with conditions including S.106 agreement for affordability, local need and named first occupant. Conditions to cover removal of permitted development rights, commence within 2 years, approved plans and within existing shell, no external lighting, access and parking, design details, curtilage definition and foul sewage. This was then voted on and carried.

The Director of Planning advised that this was not considered to be a significant departure from policy which required referral under Standing Order 1.48 because the Authority's policies allow, in principle, the conversion of traditional buildings to affordable local needs dwellings.

**RESOLVED:**

**That the application be APPROVED subject to S.106 agreement covering affordability, local need and named first occupant and the following conditions:**

1. Development to commence within 2 years
2. Development to be in accordance with approved plans
3. Development to be within existing shell
4. Remove permitted development rights regarding extensions, porches and ancillary buildings
5. No external lighting
6. Access and parking – sample material to be submitted and agreed prior to implementation
7. Design details
8. Curtilage to be defined by wall
9. Foul drainage and sewage to be agreed.

**167/14 FULL APPLICATION - PARTIAL REBUILDING OF AND ALTERATIONS TO FORMER COTTAGE AND SHIPPON TO FORM ACCESSIBLE HOLIDAY ACCOMMODATION, ALTERATIONS TO EXISTING ACCESS AND ENLARGEMENT OF CAR PARKING AREA, SMELTERS COTTAGE, HATHERSAGE**

This application had been withdrawn by the applicant.

**168/14 FULL APPLICATION - CHANGE OF USE OF AGRICULTURAL LAND TO MÉNAGE AND ASSOCIATED GRADING WORK, TWITCHILL FARM, BOWDEN LANE, HOPE**

Cllr D Chapman had declared a prejudicial interest and therefore left the room. Cllr Tony Favell declared a prejudicial interest as he knew the applicant and also left the room.

*Cllr Mrs N Hawkins left the meeting.*

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

The following spoke under the public participation at meetings scheme:

- Mr D Sutherland, Agent.

The recommendation for refusal was moved and seconded. This was then voted on and carried.

**RESOLVED:**

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

1. **The proposed development would have a significant adverse visual impact and would significantly harm the scenic beauty of the National Park, contrary to Core Strategy policies GSP1, GSP3 and L1, saved Local Plan policies LC4 and LR7 and the National Planning Policy Framework.**

**169/14 FULL APPLICATION - CHANGE OF USE OF FORMER SUNDAY SCHOOL TO FORM DWELLING (AS APPROVAL NP/DDD/0314/0341) AND ERECTION OF A GARAGE BUILDING - SCHOOL HOUSE PARKE ROAD TIDESWELL.**

Cllr P Brady declared a personal interest as the agent had acted for his son.

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

The Planning officer reported that no responses had been received from the Parish Council and no further response had been received from the County Council Highways regarding the amended plans. The officer amended condition 3 of the recommendation by adding 'as at 2013 approval stage'.

The following spoke under the public participation at meetings scheme:

- Mr N Marriott, Agent.

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

**RESOLVED:**

**That the application be APPROVED subject to the following conditions:**

- 1 The development shall not be carried out otherwise than in complete accordance with the revised plans**
- 2 Space shall be provided within the site for storage of plant and materials in accordance with the approved plans**
- 3 The ground levels of the access road and car parking/manoeuvring areas shall be no higher than the existing ground levels as at 2013 approval stage**
- 4 The surfacing for the parking area shall be permeable block paving to match that of the URC Church and Caretakers Cottage**
- 5 There shall be no external lighting other than in accordance with the approved plans**
- 6 The arched window openings facing Parke Road (South Elevation) and the first floor window openings facing Sherwood Road (West Elevation) shall be obscure-glazed and non-opening.**
- 7 All new door and window frames shall be recessed from the external face of the wall the same depth as existing frames.**
- 8 The external doors and windows shall be of timber construction.**
- 9 All pipework, other than rainwater goods, shall be completely internal within the building.**
- 10 The existing cast iron guttering and downpipes shall be retained in their existing positions.**
- 11 No external meter boxes shall be installed without the prior approval of the Authority.**
- 12 The metal flue pipe shall be factory finished or painted matt black at the time of erection and shall be permanently so maintained.**

- 13 The new vehicular access, access road and car parking/manoeuvring areas shown on the approved plans shall be completed prior to the occupation of the dwelling.
- 14 Removal of permitted development rights for alterations and extensions, means of boundary enclosure, outbuildings.
- 15 The northern boundary wall between the application site and Sherwood Copse shall be permanently maintained at its present height.
- 16 Retain garage in designated use for parking of domestic vehicles with associated domestic storage for School House only.

**170/14 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**

The Planning officer reported that a letter had been received from the applicant and this was summarised for the meeting.

It was noted that Members had received correspondence from both Mr Middleton and Mr Wright.

The following spoke under the public participation at meetings scheme:

- Mrs J Middleton, objector
- Ms C Gamble, objector
- Mr P Maltby, supporter
- Mr D Sutherland, Agent.

In response to Member queries the Director of Planning explained that it was the Authority's normal practice in Planning Committee reports for the conditions in the recommendation to be summarised and then expanded fully in a decision notice. He also explained the reasoning for specific conditions.

Some Members were concerned that they did not have enough information to make a decision on the application.

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

A motion for refusal on landscape grounds was moved and seconded, however this was superseded by deferral to allow for further information on financial figures for the business and a clear indication of the nature of the diversification. This was then voted on and carried.

**RESOLVED:**

**That consideration of the application be DEFERRED pending further information regarding the business case for the proposal and a clear indication of the nature of the diversification.**

**1711/14 PLANNING APPEALS**

The details of appeals lodged, withdrawn and decided during the month were noted.

**RESOLVED:**

**That the report be received.**

The meeting ended at 1.25 pm