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## MINUTES

Meeting:	<b>Planning Committee</b>
Date:	Friday 13 February 2015 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 R Favell, 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:	Cllr Mrs H Gaddum

### 1/15 MINUTES

The minutes of the last meeting of the Planning Committee held on 16 January 2015 were approved as a correct record subject to an amendment to the introductory text in minute 179/14 to add the words "and have an unacceptable impact on relationship with the landscape."

### 2/15 MEMBERS DECLARATIONS OF INTEREST

Item 7

Cllr D Chapman, personal interest as a friend of the applicant.

Item 8

Cllr D Chapman, personal interest as he knows the applicant.

Item 13

It was noted that all members had received correspondence from Hartington Parish Council, Keith Broadbent, John Youatt and Andrew Wood.

Cllr A McCloy, personal interest as a former member and Chair of the Hartington Community Liaison Group.

Cllr D Chapman, personal prejudicial interest in this item, as the District Councillor representing Hartington village he had supported villagers through the process and previously declared his objections to the proposals. He confirmed that he would address the Committee during public participation and then leave the room.

Cllr Mrs K Potter, it was noted that she had contacted the Archaeologist to clarify the location of land associated with this application.

### **3/15 PUBLIC PARTICIPATION**

The Chair reported that 25 members of the public were present to make representations to the Committee.

### **4/15 FULL APPLICATION - RETROSPECTIVE CHANGE OF USE OF LAND FROM AGRICULTURE TO A YARD/STORAGE AREA FOR THE ADJACENT STEEL FABRICATION BUSINESS GRANTED UNDER CLEUD NP/SM/0712/0783 AND LANDSCAPING SCHEME, PITCHINGS FARM, WHITEFIELDS LANE, WATERHOUSES**

Consideration of this item was deferred to a future meeting of the Committee.

### **5/15 FULL APPLICATION - ERECTION OF AFFORDABLE DWELLING ON LAND OFF BUXTON ROAD, HIGHFIELD FARM, ASHFORD**

It was noted that, John Scott, Director of Planning, knew the applicant through a Member of his family. He confirmed that although it was not a close personal relationship he had not been involved in processing this application.

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

The following spoke under the public participation scheme:

- Mr Roger Ryder, Agent

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

#### **RESOLVED:**

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

- 1. By virtue of its siting in an elevated position, above the existing residential properties that front on to Buxton Road, the proposed dwelling would be a prominent and incongruous addition to the street scene that would fail to reflect or respect the existing pattern of built development within the local area, would be unneighbourly, and would detract from the valued characteristics of the local area. Therefore, the proposals are contrary to national planning policies in the Framework, and do not accord with policies GSP1, GSP2, GSP3 and L1 of the Core Strategy or saved Local Plan policies LC4 and LH1.**
- 2. The proposed dwelling would fail to preserve the special qualities of the designated Ashford in the Water Conservation Area and would detract from the significance of this heritage asset because the newly-built house and associated track would be constructed on an important open green space in the Conservation Area but the proposed development would not be sensitive to the special qualities of the open space including its positive contribution to the setting of the village. Therefore, the proposals conflict with core planning principles in the Framework and do not accord with policy L3 of the Core Strategy or saved Local Plan policy LC5.**

3. **By virtue of the orientation of the access track, its overall length, its poor relationship with existing landscape features, and a section that would be especially visible from public vantage points, the access track would detract significantly from the character of the surrounding landscape and the setting of the Conservation Area in its own right, and the adverse visual impact associated with the track would be exacerbated by the prominent and elevated location of parking provision for the proposed dwelling. Furthermore, a demonstrably safe and convenient access to the property for emergency vehicles, service vehicles such as bin lorries and for future occupants of the property could not be achieved without further adverse impacts on the environmental quality of the local area. Therefore, the proposals conflict with core planning principles in the Framework and do not accord with policies T1 and T3 of the Core Strategy or saved Local Plan policies LT11 and LT18.**

Cllr A R Favell joined the meeting at 10.33am following consideration of this item.

**6/15 PLANNING APPLICATION TO INCREASE THE NUMBER OF POWDERS TANKERS DELIVERING OVERNIGHT AND THE CESSATION OF NIGHT TIME DELIVERIES OF COATED MACADAMS. VARIATION OF CONDITION 10 (III) OF PLANNING CONSENT NP/DDD/0803/419, BALLIDON QUARRY**

As the Committee was slightly ahead of schedule the Chair agreed to bring forward item 10 to allow time for registered public speakers to attend.

In introducing the report it was noted that page 3 had been amended to remove duplicate paragraphs in the officer recommendation. Following Member suggestions that the Committee would benefit from a visit to this site, it was confirmed that officers were expecting the applicants to submit an application for a land exchange in the near future and a Committee site visit would be arranged before determining the application.

The Committee noted the Parish Council comments relating to the speed of vehicles travelling to and from the site and asked officers to contact the operator to highlight these concerns.

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

**RESOLVED:**

**To APPROVE the application, reference NP/DDD/0214/0210, to vary condition 10(a)(iii), subject to:**

1. **Condition 10 being revised to read:**

**The total number of dry aggregate, industrial and coated roadstone lorry movements per day shall not exceed a maximum of 800 (i.e. 400 in and 400 out). Within the total number of vehicle movements the following restrictions shall apply:**

- (i) **No more than 240 (120 in, 120 out) dry aggregate vehicle movements shall take place per day subject to the restrictions specified in condition 17 of this permission;**
- (ii) **Out of the 240 movements, no more than 40 movements (20 in, 20 out) of dry aggregate lorries shall take place between 0500 hours and 0600 hours Monday to Saturday;**

- (iii) **No more than 24 movements (12 in, 12 out) of industrial powders shall take place between 1900 hours and 0600 hours Monday to Saturday.**

**From the date of this permission the operators shall maintain records of their lorry movements, specifying types of vehicles, products carried, and time in and out of the site, and shall make them available to the MPA at any time upon request. All records shall be kept for at least 36 months.**

- 2. The remaining conditions on permission NP/DDD/0803/419 being re-imposed on the grant of a new permission, subject to any necessary minor updates, to be agreed with the Chair and Vice Chair of Planning Committee and the Director of Planning; and**
- 3. The signing of a deed of variation to the existing section 106 to reflect the new planning permission.**

**7/15 S.73 APPLICATION - PROPOSED VARIATIONS TO CONDITION 2 (COMPLIANCE WITH APPROVED PLANS) AND CONDITION 3 (HEIGHT OF HEDGE) ATTACHED TO PLANNING DECISION NOTICE NP/SM/1213/1146 FOR INSTALLATION OF 30 KW (96 PANELS) GROUND MOUNTED SOLAR PV PANELS, UPPER HURST FARM, HULME END**

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

The following spoke under the public participation at meetings scheme:

- Mrs Susan Green, Applicant

The officer recommendation 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 not be carried out otherwise than in complete accordance with the submitted plans and specifications subject to the following conditions / modifications:**
- 2. No development shall take place until a landscape management plan and a schedule for its implementation has been submitted to and agreed in writing by the Authority. Thereafter, the development hereby permitted shall be dismantled and permanently removed from the land within six months of the date of the failure to comply with the requirements of any part of the management plan.**
- 3. At the time of their installation, the external finishes of the ground mounted modules shall be matt black and the individual solar panels shall not be installed other than with matt black surrounds and an anti-reflective finish. Thereafter, the ground mounted solar array shall be permanently so maintained throughout the lifetime of the development hereby permitted.**
- 4. Once the solar panels are no longer required for the purposes of energy generation, the ground mounted solar array shall be completely removed from**

**the land, and the ground shall be reinstated to its original ground within three months of the solar panels being decommissioned.**

The meeting was adjourned at 11.15am for a short break and reconvened at 11.25am.

**8/15 FULL APPLICATION - TEMPORARY CHANGE OF USE FROM INDUSTRIAL UNIT TO A PERSONAL TRAINING STUDIO AT UNIT 2B, STATION YARD, BAKEWELL**

Cllr Mrs J Twigg declared a personal interest as she knew the parents of the applicant.

In introducing the report the Planning Officer confirmed that in the current economic climate the supply of business units in the Bakewell area exceeded demand.

The following spoke under the public participation at meetings scheme:

- Mr Ed Eley, Applicant

Before speaking the applicant passed to the Chair a 300 name petition supporting the application.

Following the discussion the Committee asked Officers to contact the Town Council to address their concerns about the loss of business units.

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

**RESOLVED:**

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

- 1. Statutory 3 year time limit for implementation.**
- 2. The use hereby permitted shall be temporary for 5 years.**
- 3. Use shall be limited to a 'gymnasium' and for no other purposes within a D2 use class.**
- 4. The use hereby permitted shall be limited to within the building.**
- 5. Visiting members of the public (including customers/members/clients) shall be limited to no more than 4 at any one time.**

**9/15 FULL APPLICATION - CONSTRUCTION OF NEW AGRICULTURAL DWELLING, ELIZABETHASH FARM, HAYFIELD ROAD, CHINLEY**

The Planning Officer reported that, following sight of the agenda report, the objectors had confirmed that they were satisfied that their concerns had been addressed and therefore had withdrawn their objections. The Planning Officer also updated the recommendation to insert into the Section 106 agreement an Agricultural occupancy restriction.

The following spoke under the public participation at meetings scheme:

- Holly Frost, Applicant

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

**RESOLVED:**

To **APPROVE** the application subject to prior entry into a legal agreement to restrict occupancy of the dwelling to an agricultural worker and to prevent the separate sale of land in ownership, the new house, and existing buildings and subject to the following conditions / modifications.

1. **Statutory 3 year time limit for implementation.**
2. **Development not to be carried out otherwise than in accordance with specified amended plans.**
3. **The residential caravan on site shall be removed and the land restored to its previous condition within 1 month of the first occupation of the dwelling hereby approved.**
4. **Removal of permitted development rights for external alterations, extensions, outbuildings, hard standing, walls, fences and other means of enclosure to the approved dwelling.**
5. **No development shall take place until a detailed scheme showing the finished ground levels within the site has been submitted and approved. The development shall then be carried out in accordance with the approved scheme.**
6. **No development shall take place until a detailed scheme of landscaping (including planting, earth mounding, re-seeding, walls, gates and hard standings) has been submitted and approved. The development shall then be carried out in accordance with the approved scheme and maintained in perpetuity.**
7. **Any new services to be placed underground.**
8. **Foul sewerage to be dealt with by a package treatment plan. Prior to the installation of the package treatment plant, full details of which shall have first been submitted and approved. The development shall then be carried out in accordance with the approved scheme.**
9. **Development shall be built to a minimum of the Government's Code Level for Sustainable Homes Level (or its successor) required of Registered Social Landlords at the time of commencement of the building works.**
10. **No development shall take place until a design stage assessment (under the Code for Sustainable Homes or its successor) has been carried out and a copy of the summary score sheet and Interim Code Certificate indicating that the development can achieve the stipulated final Code Level (or any such national mechanism that replaces this) have been submitted to and approved in writing by the National Park Authority.**
11. **Prior to the occupation of the dwelling hereby approved, a copy of the summary score sheet and Post Construction Review Certificate (under the Code for Sustainable Homes or its successor) shall be submitted to the Authority verifying that the agreed standards have been met.**

12. **Conditions to specify or require prior approval of architectural and design details for the dwelling including, stonework, roof materials, roof verges, rainwater goods, chimneys, window and door design and finish and solar panels.**
13. **Prior approval of space within the site for accommodation, storage of plant, materials and parking for site operative's vehicles during construction works.**
14. **Parking and turning areas to be laid and constructed prior to first occupation of the dwelling and maintained in perpetuity.**
15. **Details of bin storage space and dwell area for use on refuse collection days to be submitted and approved. The development shall then be carried out in accordance with the approved scheme.**

**10/15 FULL APPLICATION - CHANGE OF USE OF PUBLIC HOUSE TO TWO RESIDENTIAL DWELLINGS WITH ASSOCIATED PARKING AND AMENITY SPACE AT STANHOPE ARMS, DUNFORD BRIDGE, SHEFFIELD,**

The following spoke under the public participation at meetings scheme:

- Mr Andrew Keeling, Agent

The Committee were of the view that, although the loss of a public house was regrettable, they were satisfied that the viability report demonstrated that the current owner had fully explored alternative options before submitting the application.

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

**RESOLVED:**

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

1. **3 year time limit for commencement of development**
2. **Adopt amended plans**
3. **Removal of PD rights for external appearance, extensions, etc.**
4. **Minor building design details.**
5. **Submit scheme of environmental management measures to reduce energy use and lower carbon footprint.**

**11/15 DESIGNATION OF HOLME VALLEY NEIGHBOURHOOD AREA (AM)**

As the Committee was slightly ahead of schedule the Chair agreed to bring forward item 16 to allow time for registered public speakers to attend.

The officer recommendation was moved, seconded, put to vote and carried. In moving the recommendation the Committee acknowledged the valuable support and advice given to Parishes by Adele Metcalfe, Village & Communities Officer, to progress their proposals.

**RESOLVED:**

**To designate that part of the Holme Valley parish that is within the National Park as part of the Holme Valley Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Localism Act 2011 Schedule 9, section 61G.**

At 12.20pm, following consideration of this item, Cllr H Laws and Cllr Mrs N Hawkins left the meeting.

## **12/15 HEAD OF LAW**

As the Committee was slightly ahead of schedule the Chair agreed to bring forward item 17 to allow time for registered public speakers to attend.

Members noted the appeals lodged and decided during the month. It was noted that since the report had been published NP/DDD/1014/1051 had been determined and the appeal had been dismissed.

### **RESOLVED:**

**To note the report.**

At 12.25pm, following consideration of this item Cllr H Laws and Cllr Mrs N Hawkins returned to the meeting.

## **13/15 APPLICATION TO REMOVE/VARY CONDITIONS ON APPLICATION NP/DDD/0212/0153 (CONVERSION OF CHURCH TO TWO DWELLINGS WITH ACCESS AND PARKING) - VARIATION OF APPROVED ROOFLIGHT SIZES AND POSITIONS - FORMER URC CHURCH, PARKE ROAD, TIDESWELL.**

With the consent of the Committee the Chair agreed to vary the order of business so that item 15 was considered before item 14.

In introducing the report it was noted that condition 1 in the officer recommendation had been amended to "Statutory 3 year time limit for implementation."

It was noted that a further 4 letters had been received expressing support for the two applications.

The following spoke under the public participation at meetings scheme.

- Mr Neal Richmond, Objector
- Mr Richard Brown, Supporter
- Mr Robin Brown, Applicant

During discussion Members expressed concern that the two applications had been submitted retrospectively.

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

### **RESOLVED:**

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

- 1 Statutory 3 year time limit for implementation.**



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- 2     **The development hereby permitted shall not be carried out otherwise than in complete accordance with submitted plans**
  - 3     **Maintenance of storage of plant area throughout works.**
  - 4     **Maintain access visibility and sightlines.**
  - 5     **Agree details of lowered section of walling to the north of the access track.**
  - 6     **Nest boxes to be installed as previously approved.**
  - 7     **The ridge tile access points for bats and their positioning to be installed as previously approved.**
  - 8     **Two bat boxes shall be mounted internally within each gable end of the building.**
  - 9     **Vehicular access, access road and car parking/manoeuvring facilities to be completed.**
  - 10    **Two car parking spaces to be permanently maintained for each dwelling and car parking spaces and associated manoeuvring areas shall remain unobstructed for use at all times.**
  - 11    **Drainage and surfacing materials for the access road and car parking/manoeuvring areas to be installed as previously approved.**
  - 12    **Environmental Management measures shall be undertaken as previously approved.**
  - 13    **Ground levels of the access road and car parking/manoeuvring areas to be established and permanently maintained as previously approved.**
  - 14    **External lighting shall be installed as previously approved.**
  - 15    **Matching materials new for timber and stonework.**
  - 16    **New door frame to be recessed from the external face of the wall the same depth as the adjacent window frames.**
  - 17    **Doors shall be vertically boarded timber with no external framing or glazing.**
  - 18    **Rooflights to the west facing roof slope to be fitted flush with the roof slope.**
  - 19    **All pipework to be completely internal within the building.**
  - 20    **No additional or replacement guttering or downpipes to be installed without the prior approval of the Authority.**
  - 21    **The design and positioning of external meter boxes shall be as previously approved.**
  - 22    **Remove permitted development rights.**

- 23 The northern boundary wall to be maintained at its present height, subject to the reduction in height required by Condition 5.
- 24 Access for birds and bats via the existing louvred openings in the gable ends of the church shall be permanently retained.
- 25 Maintain internal layout as approved.

At 1.00pm following consideration of this item Cllr P Brady joined the meeting.

**14/15 APPLICATION TO REMOVE/VARY CONDITIONS ON APPLICATION NP/DDD/0212/0153 (CONVERSION OF CHURCH TO TWO DWELLINGS WITH ACCESS AND PARKING) - VARIATION OF APPROVED ROOFLIGHT SIZES AND POSITIONS, AND ADDITION OF ROOFLIGHT TO FACILITATE ADDITION OF 4TH BEDROOM - FORMER URC CHURCH, PARKE ROAD, TIDESWELL.**

In introducing the report it was noted that condition 1 in the officer recommendation had been amended to "Statutory 3 year time limit for implementation." The Officer also stated that the conditions would clarify that the louvred opening in the north gable would only be blocked internally.

The following spoke under the public participation at meetings scheme:

- Mr Neal Richmond, Objector
- Mr Robin Brown, Applicant

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

**RESOLVED:**

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

- 1 Statutory 3 year time limit for implementation.
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with submitted plans
- 3 Maintenance of storage of plant area throughout works.
- 4 Maintain access visibility and sightlines.
- 5 Agree details of lowered section of walling to the north of the access track.
- 6 Nest boxes to be installed as previously approved.
- 7 The ridge tile access points for bats and their positioning to be installed as previously approved.
- 8 Two bat boxes shall be mounted internally within the roof void of the southern half of the building.
- 9 Vehicular access, access road and car parking/manoeuvring facilities to be completed.

- 10 Two car parking spaces to be permanently maintained for each dwelling and car parking spaces and associated manoeuvring areas shall remain unobstructed for use at all times.**
- 11 Drainage and surfacing materials for the access road and car parking/manoeuvring areas to be installed as previously approved.**
- 12 Environmental Management measures shall be undertaken as previously approved.**
- 13 Ground levels of the access road and car parking/manoeuvring areas to be established and permanently maintained as previously approved.**
- 14 External lighting shall be installed as previously approved.**
- 15 Matching materials new for timber and stonework.**
- 16 New door frame to be recessed from the external face of the wall the same depth as the adjacent window frames.**
- 17 Doors shall be vertically boarded timber with no external framing or glazing.**
- 18 Rooflights to the west facing roof slope to be fitted flush with the roof slope.**
- 19 All pipework to be completely internal within the building.**
- 20 No additional or replacement guttering or downpipes to be installed without the prior approval of the Authority.**
- 21 The design and positioning of external meter boxes shall be as previously approved.**
- 22 Remove permitted development rights.**
- 23 The northern boundary wall to be maintained at its present height, subject to the reduction in height required by Condition 5.**
- 24 The external appearance of the louvred openings in both gable ends of the church to be retained with only the north opening being blocked internally.**
- 25 Access for birds and bats to the roof void in the southern half of the building via the existing louvred opening in the southern gable end to be retained.**
- 26 Maintain internal layout as approved.**

Cllr P Brady did not participate in the discussion and voting on this application.

The meeting adjourned at 1.10pm for lunch and reconvened at 1.40pm

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr A R Favell, 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

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

**15/15 MAJOR FULL APPLICATION: DEMOLITION OF EXISTING FACTORY BUILDING AND THE SUBSEQUENT CONSTRUCTION OF A TOTAL OF 26 DWELLINGS INCLUDING 4 'AFFORDABLE' AND CONVERSION OF FORMER FACTORY BUILDINGS TO TWO DWELLINGS AT DOVE DAIRY, STONEWELL LANE, HARTINGTON**

The Head of Law reminded the Committee that as Cllr D Chapman had declared a personal, prejudicial interest in this application he would address the Committee as the first speaker under public participation and then leave the meeting.

Councillor P Brady declared a personal interest as he was a friend of one of the speakers and an acquaintance of two others.

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

The Director Planning highlighted the policy issues relating to the application and the Planning Officer introduced aspects of the application. The introduction included details of the Viability Statement provided by the developer in support of the application. It was noted that, due to the flooding measures required by the Environment Agency, if approved the permission could not be implemented until the developer had received and implemented planning approval for a swale.

The following spoke under the public participation at meetings scheme:

- Cllr David Chapman, Authority Member and Derbyshire Dales District Councillor (As he had declared a personal, prejudicial interest he left the meeting immediately after speaking)
- Mr Richard Gregory, Objector
- Mr Ron Critchlow, Objector
- Mr Geoff Howden, Objector
- Liz Broomhead, MBE, Objector
- Robert Gregory, Objector
- Mr John Dean, Objector
- Mr C R Dullage, Objector
- Mrs Julie Critchlow, Objector
- Cllr David Annat, Chair of Hartington Parish Council, Objector
- Mr Andrew Wood, Friends of the Peak District, Objector
- Alison Clamp, Peak District Rural Housing Association
- Isabel Frenzel, DDDC Rural Housing Enabler
- Rob Cogings, DDDC Head of Housing
- Mr Teifion Salisbury on behalf of the Applicant

Following the public speakers Cllr Mrs K Potter declared a personal interest as a supporter of CPRE/Friends of the Peak District.

During questions and debate the Committee discussed in detail issues relating to viability, community benefit and the provision of affordable housing. As part of the discussion it was suggested that further information on issues relating to affordable housing should be considered at the 2015 Parishes Day later in the year.

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. The public benefits of allowing permission for the current application would not amount to the exceptional circumstances necessary to justify a major development in the National Park.**
- 2. By virtue of its size and scale and by virtue of the design, siting layout and landscape design for the development, the proposed development would not be in keeping with local building traditions and would be insensitive to the locally distinctive character landscape setting and the settlements overall pattern of development and would therefore be contrary to a range of development policies.**
- 3. The development does not fully take into account the energy hierarchy by reducing the need for energy and lack of energy saving measures and renewables and therefore it will not achieve the highest possible standards of carbon reductions or sustainable development contrary to CC1 of the core strategy.**

The meeting ended at 3.55 pm