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## MINUTES

Meeting: **Planning Committee**

Date: Friday 13 December 2019 at 10.00 am

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

Chair: Mr R Helliwell

Present: Mr P Ancell, Cllr W Armitage, Cllr P Brady, Cllr D Chapman, Cllr A Hart, Cllr I Huddleston, Cllr A McCloy, Cllr Mrs K Potter, Miss L Slack and Mr K Smith

Apologies for absence: Cllr D Birkinshaw, Cllr M Chaplin, Cllr A Gregory and Cllr G D Wharmby.

### **166/19 MINUTES OF PREVIOUS MEETING HELD ON**

The minutes of the last meeting of the Planning Committee held on 8 November 2019 were approved as a correct record.

### **167/19 URGENT BUSINESS**

There were no items of urgent business.

### **168/19 MEMBERS DECLARATIONS OF INTEREST**

#### Item 6

Mr P Ancell, Cllr P Brady, Mr R Helliwell and Cllr A Hart had received a letter from Mr Meakin.

Cllr D Chapman, Cllr I Huddleston and Miss L Slack had received an email.

It was noted that all Members knew Cllr C Farrell, who had given notice to speak at the meeting, as an Authority Member. Cllr I Huddleston also knew Cllr Farrell as a member of High Peak Borough Council.

#### Item 7

Mr P Ancell, Cllr P Brady, Mr R Helliwell, Cllr A McCloy and Mr K Smith had all received an email from the Agent.

#### Item 9

It was noted that all Members had received an email from Mr Yates, the Agent.

Cllr A Hart had received a phone call from the Applicant.

Mr P Ancell declared a personal interest as he knew Mr Yates, the Agent, as an ex-work colleague.

**169/19 PUBLIC PARTICIPATION**

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

**170/19 FULL APPLICATION - DEMOLITION OF FORMER RISING SUN HOTEL AND ERECTION OF HOTEL (CLASS C1) INCORPORATING GROUND FLOOR FLOORSFACE WITH FLEXIBILITY TO BE USED FOR RESTAURANT/BAR (CLASS A3/A4 USES) AND FUNCTION FACILITIES, ALTERATIONS TO EXISTING SITE ACCESS, CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS AT THE RISING SUN, HOPE ROAD, BAMFORD**

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

The following spoke under the public participation at meetings scheme:

- Cllr C Farrell, High Peak Borough Council Ward Councillor, regarding traffic concerns
- Mr D Meakin, Objector
- Mr J Williams, Agent

In response to a statement made by one of the speakers, the Chair stated that this was a major application and could not be a decision delegated to officers.

Although Members expressed some concerns about the travel plan and light pollution the recommendation for approval was moved and seconded.

It was noted that condition 13 of the recommendation was for submission of a lighting scheme and it was agreed to amend the condition to state the hours when there should be no permanent external illumination whilst recognising that the detailed scheme would provide for sensor controlled, time limited lighting that would be required during those hours.

The recommendation for approval subject to a S106 agreement covering highway requirements and conditions as set out in the report with the amended condition 13 was put to the vote and carried.

**RESOLVED:**

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

- A. The prior entry into a Section 106 agreement covering highway requirements for i) the funding of the 40mph highway speed limit extension and the monitoring of the Travel Plan. ii) The submission of a scheme for the provision of a pedestrian refuge/safe crossing point for bus passengers (including revised kerbing and tactile paving/precise bus stop location) on Hope Road outside but adjacent to the site, and**
- B. The following planning conditions:**
  - 1. Commence development within 3 years.**

2. Carry out in accordance with specified amended plans and supporting information.
3. Define and limit approved use to be as an Hotel (Class C1) with ancillary restaurant and bar open to non-residents (Class A3/4) with function capability only and for no other purpose within use Class C1.
4. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
  - Parking of vehicles of site operatives and visitors
  - Routes for construction traffic, including abnormal loads/cranes etc.
  - Hours of operation
  - Method of prevention of debris being carried onto highway
  - pedestrian and cyclist protection
  - Proposed temporary traffic restrictions
  - Arrangements for turning vehicles
5. The premises the subject of the application shall not be taken into use until the existing accesses to Hope Road A6187 have been modified in accordance with the application drawings, laid out, constructed and provided with 2.4m x 145m (to the west) and 2.4m x 122m (to the east) visibility splays in accordance with Drawing no 1707404c, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.
6. The premises the subject of the application shall not be taken into use until a scheme for the provision of a safe crossing point and improved public transport facilities has been fully implemented on site, in accordance with a scheme first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
7. Notwithstanding the submitted plans an amended car parking layout for the parking of 84 vehicles shall be submitted for written approval. Once agreed the premises the subject of the application shall not be taken into use until space has been laid out within the site in accordance with drawing No 1707405A for vehicles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear.
8. The premises the subject of the application shall not be occupied until the cycle parking facilities shown on the approved drawing No PA-PL-005 Rev B have been implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.
9. There shall be no gates or other barriers within 10m of the nearside highway boundary and any gates shall open inwards only, unless otherwise agreed in writing by the Local Planning Authority.
10. The Approved Travel Plan shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets.
11. Submit and agree details of the proposed signage for the internal one way system.
12. Submit for written agreement full details of the landscaping scheme comprising both hard and soft external works together with implementation timetable. Scheme to provide for additional planting to the rear boundaries of

- the car park and for a hedge backing the frontage stone walling. Thereafter complete and maintain in full accordance with approved scheme.
13. Submit for written agreement full details of an amended external lighting scheme which omits tall lighting poles and thereafter complete in full accordance with agreed scheme, to include no external lighting between the hours of midnight and 5am.
  14. East facing gable end to be clad with natural gritstone.
  15. Agreement over sample panels of stone, render, external paving, grasscrete and roofing materials.
  16. Agreement over door and window details/finishes.
  17. Specify minor detailed design matters e.g. Rain water goods, other joinery details.
  18. Carry out the development in full accordance with the recommendations set out in the submitted Final Ecology Report ref 9537\_R\_APPR\_20117.
  19. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site (in accordance with the principles outlined within DEFRA Non-statutory Technical Standards for sustainable drainage systems (March 2015)), have been submitted to and approved in writing by the Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.
  20. Suggested conditions awaited from DCC as Local Lead Flood Authority on the assessment to demonstrate that the proposed destination for surface water accords with the hierarchy in paragraph 80 of the planning practice guidance.
  21. 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.'
  22. No development shall take place until a Written Scheme of Investigation for a scheme of archaeological monitoring and recording has been submitted to and approved by the local planning authority in writing.
  23. Submit and agree in writing a detailed scheme of environmental management of the building and site with specific measures to meet the aims of PDNPA Climate change policy together with an implementation programme. Provision shall be made for the cabling to the proposed 2 EV charging spaces to be extended to 2 more spaces in readiness to accommodate a potential upgrade of those spaces to EV Charging spaces should demand require. Once agreed carry out in full accordance with approved scheme.
  24. Submit and agree precise details of an acoustic fence along the boundary of the car parking with the neighbouring residential garden together. Thereafter install in accordance with agreed details and maintain.

**171/19 FULL APPLICATION - DEMOLITION OF THE EXISTING WORKSHOP AND ERECTION OF AN AFFORDABLE LOCAL NEEDS DWELLING WITH ASSOCIATED WORKS INCLUDING WORKS OF HARD AND SOFT LANDSCAPING, LAND AT TOP LANE, TIDESWELL**

The Chair stated that the officer presentation at the start of this item was being filmed for training purposes.

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

The following spoke under the public participation at meetings scheme:

- Mrs M Boardman, Applicant

In response to Members' queries officers stated that if this site was accepted as being within the edge of the settlement it would mean all the surrounding land between the site and the village would then be included within the settlement and become open to development.

A Member request was made to remove reason 2 of the recommendation for refusal as inefficient use of the site was inappropriate.

Although Members had sympathy for the applicant the recommendation for refusal, without reason 2, was moved and seconded. The motion was voted on and carried on the Chair's casting vote.

**RESOLVED:**

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

1. **The site is not located in or on the edge of a named settlement. The provisions for new build local needs affordable housing in the development plan is limited to within or on the edge of named settlements. The proposal for a new build local needs affordable house in the open countryside is therefore unacceptable in principle as it is contrary to the development strategy in Core Strategy policy DS1 and Development Management Policies DMH1, DMC4(B) and the NPPF (para 77, 78, 79 and Para 172).**
2. **The proposed development would have an adverse impact on the character and appearance of the area and the National Parks Landscape. The proposal is therefore contrary to Core Strategy Policies GSP1, GSP3, L1, Development Management Policies DMC3, DMC4, DMC13B and the NPPF.**

*The meeting adjourned for a short break at 11.40 and reconvened at 11.50.*

**172/19 FULL APPLICATION - CHANGE OF USE FROM EXISTING STONE BARN TO A LOCAL NEEDS DWELLING, HOLLY BANK BARN, BUTTERTON**

The Planning officer introduced the report and stated that Cllr Gill Heath had wanted to attend the meeting, as Ward Councillor, to support the application but was unable to attend. Cllr Heath had supplied a statement of her support and the officer read this out for the meeting.

The following spoke under the public participation at meetings scheme:

- Mr T Meakin, Applicant

In response to Members' queries officers stated the requirements of policy CC1 and it was noted that officers were currently producing guidance for applicants.

The recommendation for refusal was moved and seconded. It was noted that refusal reason 3 of the report recommendation should state any 'identified' features of value not 'indented'. The motion was put to the vote and carried.

**RESOLVED:**

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

1. The application would result in the introduction of a domestic dwelling in an open agricultural landscape. The domestication of the barn and its setting would result in significant harm to the landscape character of this area of the National Park, contrary to policies L1 and DMC3, and to paragraph 172 of the NPPF.
2. The application has failed to demonstrate that there is an identified housing need for a new affordable dwelling of the size and type proposed. It would result in the creation of an isolated home in the countryside and no exceptional circumstances have been demonstrated to justify it. The application is therefore contrary to policies HC1, DMH1 and DMH2 and paragraph 79 of the NPPF.
3. The applicant has failed to provide an assessment of the historic significance of the non-designated heritage asset and has failed to demonstrate how its significance and any identified features of value would be conserved or enhanced. The application is contrary to policies DMC5 and DMC10.
4. The application does not demonstrate that the development will make the most efficient and sustainable use of land, buildings and natural resources contrary to policy CC1.

**173/19 FULL APPLICATION - DEMOLITION OF EXISTING SINGLE STOREY BOOT ROOM AND REPLACEMENT WITH SINGLE STOREY OAK FRAMED ORANGERY/BOOT ROOM NIELDS FARM, SWYTHAMLEY**

The following spoke under the public participation at meetings scheme:

- Mr P Yates, Agent

The recommendation for refusal was moved and seconded.

It was noted that officers had advised the applicant that a design which reflected the local tradition would have been considered more favourably and that a smaller design would fall within permitted development rights.

The motion for refusal was put to the vote and carried.

**RESOLVED:**

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

The proposed single storey oak framed orangery by virtue of the size, scale, form, massing and design, fails to harmonise with or adequately respect the character and appearance of the existing dwelling. The proposal would also have an unduly harmful visual impact on the character of this part of the National Park. In addition, the proposal fails to properly address sustainability and climate change mitigation. As such, the proposed development is contrary to guidance and to the requirements of Core Strategy policies GSP1, GSP3 and L3, CC1 and Development Management Policies DMC3 and DMH7.

**174/19 FULL APPLICATION - SINGLE STOREY REAR EXTENSION AT ASPINDLE HOUSE, HEATHCOTE,**

The following spoke under the public participation at meetings scheme:

- Ms J Bonsall, Applicant

Members felt that an alternative design would be considered more favourably and officers agreed with this. The Planning officer stated that 2 alternative proposals had been put forward by the applicant but these were still not suitable.

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

**RESOLVED:**

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

1. The proposed rear extension by virtue of its scale, massing and design, fails to reflect the character and appearance of the existing dwelling and its setting. In addition the proposal fails to address the requirements of policy CC1 as it does not demonstrate that the scheme addresses sustainability and climate change mitigation. As such, the development is contrary to the National Planning Policy Framework, Core Strategy Policies GSP1, GSP2, GSP3, CC1 and Development Management Policies DMC3 & DMH7.

**175/19 FULL APPLICATION - ENLARGEMENT OF EXISTING BAY WINDOW SEAT AT ST LEONARD'S COTTAGE, CHURCH LANE, THORPE.**

The following spoke under the public participation at meetings scheme:

- Mr D Archer, Agent

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

**RESOLVED:**

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

1. The proposed extension by virtue of its form and design fails to respect the traditional character and appearance of the dwelling and its setting. The development would also fail to preserve the character and appearance of the Conservation Area. The proposal does not set out how the development would address climate change mitigation and sustainability. As such, the development is contrary to Core Strategy Policies GSP1, GSP2, GSP3, L3 & CC1, Development Management Policies DMC3, DMC5, DMC8 & DMH7 and guidance contained within section 16 of the National Planning Policy Framework (Conserving & enhancing the historic environment).

*The Committee voted to continue the meeting beyond 13.00 in accordance with Standing Order 1.10.*

**176/19 SECTION 73 APPLICATION FOR THE VARIATION OF CONDITIONS 2 AND 3 ON NP/DDD/1213/1149, FIVEWAYS, GRINDLEFORD (NP/DDD/1019/1110 DH)**

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

The Planning officer introduced the report and highlighted that work on the original access had commenced but with the wrong materials so had been stopped and the illuminated bollards erected were contrary to the planning permission.

The following spoke under the public participation at meetings scheme:

- Mr D Allerton, Objector
- Mr M Peckett, Applicant

The recommendation for approval subject to conditions was moved, seconded, put to the vote and carried.

**RESOLVED:**

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

- 1. Conditions restated from application NP/DDD/1213/1149 with condition 2 amended to reflect the plan references now proposed and with condition 3 restated without the requested change.**

**177/19 HEAD OF LAW REPORT - PLANNING APPEALS**

Members considered the appeals lodged, withdrawn and decided during the month.

**RESOLVED:**

**To note the report.**

**178/19 ANNUAL HOUSING REPORT AND CASES CONTRARY TO THE DEVELOPMENT PLAN (IF/DA)**

Members considered the annual housing report and cases contrary to the development plan. The first appendix focussed on housing data arising from planning decisions determined in accordance with the adopted Core Strategy; the second appendix gave details of cases which had been determined as being contrary to the development plan and other decisions which had raised important issues for policy review.

In response to Members' queries officers stated that there was a statutory requirement to review the policies, the Development Management Policy had recently been adopted and a full plan review was just starting which the Development Management Plan Member Steering Group would be involved in. Performance against the KPIs would be reported quarterly to the Authority meeting as part of regular performance reporting. The decision relating to a caravan site at Rivendale would be included in the next annual report.

With regard to Appendix 2 Officers agreed with Members that for future reports on decisions contrary to policy the comments column should include the original officer recommendations and the reasons for the contrary Member decisions as recorded in the minutes of the meetings.

**RESOLVED:**



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- 1. To adopt the reports as an accurate record of housing delivery and policy monitoring in the National Park in 2018/19 and over the full plan period from 2006 – 2019.**
  - 2. To adopt the report as part of the evidence base for Local Plan review purposes.**

The meeting ended at 13.36.