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## **MINUTES**

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

**Date:** Friday 7 February 2020 at 10.00 am

**Venue:** Conference Room, Agricultural Business Centre, Bakewell

**Chair:** Mr R Helliwell

**Present:** Cllr D Birkinshaw, Cllr W Armitage, Cllr P Brady, Cllr M Chaplin, Cllr D Chapman, Cllr A Gregory, Cllr I Huddleston, Cllr A McCloy, Cllr Mrs K Potter, Miss L Slack and Mr K Smith

**Apologies for absence:** Mr P Ancell, Cllr A Hart and Cllr G D Wharmby.

### **11/20 MINUTES OF PREVIOUS MEETING**

The minutes of the last meeting of the Planning Committee held on the 10 January 2020 were approved as a correct record.

### **12/20 URGENT BUSINESS**

There were no items of urgent business.

### **13/20 MEMBERS DECLARATIONS OF INTEREST**

#### **Item 6**

It was noted that the Authority was the owner of Brosterfield Caravan Park. The application was contentious and the authority had already made management decisions about the site. To assist Members, the Democratic Services Manager had circulated 3 options advising Members of the possible stances they might take in respect of declaring interests and participating in the meeting. The Members declared which option they would follow:-

Mr R Helliwell, Cllr W Armitage, Cllr M Chaplin, Cllr A Gregory, Cllr I Huddleston, Ms L Slack, Mr K Smith declared that they had not previously been involved in Member decisions on the acquisition and development of the site and therefore come to the meeting with an open mind.

Cllr D Chapman, Cllr D Birkinshaw, Cllr P Brady, Cllr A McCloy and Cllr K Potter declared that they had previously been involved on Member decisions on the acquisition and development of the site but intend to come to this meeting with an open mind taking into account all the relevant planning issues presented to the Committee.

No Members declared that they had previously been involved in Member decisions on the acquisition and development of the site and did not feel able to come to the matter with an open mind so would take no part in the discussion or voting on this item.

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

Most Members had received emails/letters from Dr Owens, Mr G Nancolas and Mr A Tickle

Cllr D Chapman declared a personal interest as he knew Ms A Robinson, as did Cllr K Potter who was also a member of CPRE.

Mr K Smith declared a personal interest as he knew Mr J Youatt

The Director of Conservation and Planning declared a non-prejudicial interest. He stated that he had been employed by the Authority in 1998. He had also been employed by Mr Molyneux, an adjoining landowner, and Mr Vickers, a local resident in his capacity as a planning consultant to act on the lawful development certificate appeal. . He said that he had not been employed by the Authority at the time of the appeal. The Director said that he would advise the Committee on procedure and not on the planning merits of the application.

Item 8

It was noted that the Authority is the owner of Millers Dale Station.

Item 9

It was noted that all Members knew Mrs C Waller, wife of the applicant as a Member of the Authority

Most Members had received emails/letters from Mrs C Gascoigne and Ms C Wilde

Miss L Slack had received an email from Ms L Connell

Cllr A Gregory, is Ward Councillor for the application site and had received a telephone call from Mrs C Waller, but did not discuss any details of the proposal.

Item 10

Cllr P Brady declared a personal interest as his son-in-law is a member of Winster Parish Council, but had not discussed the application.

## **14/20 PUBLIC PARTICIPATION**

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

## **15/20 CHAIRS ANNOUNCEMENT**

The Chair welcomed Cllr A Gregory as a Member to his first Planning Committee.

**16/20 FULL APPLICATION: ERECTION OF AMENITY BUILDING WITH TURNING HEAD, NEW VEHICULAR ACCESS, LANDSCAPING AND ASSOCIATED FACILITIES FOR CAMPING AND CARAVAN SITE AT BROSTERFIELD CARAVAN PARK, FOOLOW**

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

The North Area Team Manager introduced the report and updated Members that since the report had been published a further 8 representations had been received, but that they raised no additional planning matters to those already in the report. He also updated Members on some minor amendments to the following conditions.

Conditions 4, 7, 9, 10 & 15 to replace the wording National Park Authority with Local Planning Authority.

Condition 18, remove the word “or” so the condition reads “Restrict use of site to touring caravans and tents only.

Condition 19, to remove the word “or” so the condition reads “The number of pitches for touring caravans and tents on the site on any day shall not exceed the following:”

Condition 19a, to remove the word “or” and add the word “touring” so the condition reads “Between 31 March (or Good Friday if earlier than 31 March) and 31 October inclusive – 30 touring caravans and tents.

Condition 19b, to remove the word “or” and add the word “touring” so the condition reads “Between 31 March (or Good Friday if earlier than 31 March) and 31 October inclusive – 50 touring caravans and tents.

Condition 21, to be amended to read “The touring caravan for the site warden shall not be occupied other than by a site warden employed at Brosterfield Caravan Site and their dependants only. In the event that the site is not open and available to the public for more than 30 days then the caravan will be removed.

The North Area Team Manager described the site and the application. He said the Highway Authority had not responded, but it had no objections to the previous application.

The following spoke under the public participation at meetings scheme:-

- Cllr C Furness, Member – Objector
- Ms K Edwards, Objector
- Mrs E Nancolas, Objector
- Mr J Youatt, Objector
- Mr G Nancolas, Objector
- Mr S Wills, Objector
- Ms J Vickers, Objector
- Mr A Marsden, Objector
- Mr D Martin, Objector
- Mr H Folkard, Objector
- Mrs J Wills, Objector
- Dr P Owens, Objector
- Ms A Robinson, Friends of the Peak District & CPRE South Yorkshire, Objector
- Mr S Wills, Chair, Foolow Parish Meeting, Objector
- Mr C Manby, on behalf of Applicant

Some Members were concerned about the landscape impact of the new access and about traffic impacts on amenity in the Foolow area that could arise. The scheme was considered to be an improvement on the previous permission granted in 1998 and Members noted that the site was well screened.

A Member stated that this was a site with an existing planning permission for static caravans. That permission was faulty in that it was not originally intended to be for static caravans. This application has a lot of pluses and enhanced the existing permission position. This application, if granted represented a significant planning gain.

Members also requested that extra conditions be added to include the repair and maintenance of the drystone walls, schemes for installation of cattle grids, installation of means to prevent vehicles egressing into the field and an agreed planting scheme under the electric wires. It was also suggested that the Warden's caravan would be better placed nearer to the amenity building and a scheme should be required to be submitted for that.

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

**RESOLVED:**

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

- 1. Statutory 3 year time limit for implementation.**
- 2. Development to be carried out in full accordance with specified approved plans.**
- 3. No other works shall commence until the new access has been fully laid out and constructed in accordance with approved plans. Access visibility and vehicular passing places to be maintained throughout the lifetime of the development.**
- 4. Prior to the operation of the campsite, an Ecological Management Plan (including measures to provide on-site habitat enhancement for a range of species) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development.**
- 5. All new services shall be placed underground within the applicants ownership**
- 6. Submitted landscaping scheme to be implemented.**
- 7. Prior to the first occupation of the amenity building solar photovoltaic panels shall be installed to the south facing roof slope in accordance with a detailed scheme (including the specification, finish and location of solar panels) which shall have first been submitted to and approved in writing by the Local Planning Authority.**
- 8. The solar panels shall be fitted flush to the roofslope.**

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9. Prior to the first occupation of the amenity building a ground source heat pump shall be installed within the site in accordance with a detailed scheme (including the specification and location of pipework and equipment) which shall have first been submitted to and approved in writing by the Local Planning Authority.
  10. No lighting shall be installed other than in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.
  11. No flagpoles or illuminated poles either temporary or permanent shall be erected on the site.
  12. The package treatment plant and cess tank hereby approved shall be installed prior to the first occupation of the amenity building.
  13. Sample of metal sheeting for the link roof of amenity building to be submitted and approved prior to the erection of the amenity building.
  14. Notwithstanding approved plans, the timber cladding to the amenity building shall be vertically boarded, tanalised and left to weather naturally without paint or stain finish.
  15. The walls of the amenity building shall be natural limestone in accordance with a sample panel to be erected and approved in writing by the Local Planning Authority.
  16. The main roof of the amenity building shall be natural blue slate.
  17. External finish of windows and doors to amenity building to be submitted and approved in writing prior to installation.
  18. Restrict use of site to touring caravans and tents only.
  19. The number of pitches for touring caravans and tents on the site on any day shall not exceed the following:
    - a) Between 31 March (or Good Friday if earlier than 31 March) and 31 October inclusive – 30 touring caravans and tents.
    - b) On Bank Holiday weekends (i.e. Thursday to Tuesday) between 31 March (or Good Friday if earlier than 31 March) and 31 October inclusive – 50 touring caravans and tents.
    - c) At any other time – 20 touring caravans and tents.
  20. Holiday occupancy condition (no more than 28 day occupancy for any individual per calendar year) and no single caravan or tent (other than the one caravan for a site warden) shall be retained on site for a period exceeding 28 days in any calendar year.
  21. The touring caravan for the site warden shall not be occupied other than by a site warden employed at Brosterfield Caravan Site and their dependants only. In the event that the site is not open then the caravan will be removed.

22. No caravan or tent shall be sited on the eastern field edged in blue on submitted site plan at any time.
23. Remove permitted development rights for development required by the conditions of a site licence.
24. That the drystone walls to be repaired prior to any caravans being brought onto the site and thereafter maintained.
25. Scheme to be submitted for the relocation of the wardens caravan to a location nearer to the amenity block.
26. Scheme to be submitted and approved prior to use of the site for caravans and tents for installation of cattle grids on the access road.
27. Scheme to be submitted and approved prior to use of the site for caravans and tents for the means to prevent vehicles egressing into the field.
28. Scheme to be submitted and approved prior to use of the site for caravans and tents for planting schemes under the electric wires.

Cllr Kath Potter asked that her vote against this decision be recorded.

**17/20 FULL APPLICATION: TWO STOREY DETACHED RESIDENTIAL UNITS TO EXISTING CARE HOME AT THE LODGE, MANCHESTER ROAD, HOLLOW MEADOWS**

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

The following spoke under the public participation at meetings scheme:-

- Mr C Canello, Applicant

Members considered that the development fell outside a named settlement in the open countryside within the National Park and was therefore contrary to policy.

Members requested that the wording of the refusal in Condition 1 should be amended to read that "The erection of residential accommodation as part of a community facility is contrary to Core Strategy policies, DS1, HC1 and HC4"

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 erection of residential accommodation as part of a community facility is contrary to Core Strategy policies DS1, HC1 and HC4, which restrict new housing in the National Park to affordable housing to meet eligible local need within named settlements. The proposed therefore would represent unsustainable development contrary to the National Planning Policy Framework.
2. It is considered that by virtue of its form, design and siting, the proposed development would harm the landscape and the character and appearance of the existing building contrary to Core Strategy policies GSP1, GSP2, GS3, DS1 and L1, Development Management policies DMC1 and DMC3, our adopted design guidance and the National Planning Policy Framework.
3. Insufficient information has been submitted to allow us to conclude that the development would be designed to mitigate the impacts of climate change by making the most efficient and sustainable use of land, buildings and natural resources, take account of the energy hierarchy and achieve the highest possible standards of carbon reductions and water efficiency contrary to Core Strategy policy CC1, our adopted Sustainable Building and Climate change SPD and the National Planning Policy Framework.
4. Insufficient information has been submitted to allow us to conclude that the development would safeguard trees on site, conserve local wildlife or that the development would achieve net gains to biodiversity contrary to Core Strategy policy L2, Development Management policies DMC11, DMC12 or DMC13 and the National Planning Policy Framework.

*A motion to continue the meeting beyond three hours was put to the vote and carried.*

Cllr A McCloy left the meeting at 13:10.

The meeting was adjourned at 13:10 for a lunch break and reconvened at 13:40

Chair: Mr R Helliwell

Present: Cllr D Birkinshaw, Cllr W Armitage, Cllr P Brady, Cllr M Chaplin,  
Cllr D Chapman, Cllr A Gregory, Cllr I Huddleston, Cllr K Potter,  
Miss L Slack, Mr K Smith

**18/20 FULL APPLICATION: CHANGE OF USE OF EXISTING DAIRY MILKING PARLOUR TO FORM BUNK HOUSE ACCOMMODATION WITH FACILITIES AND MEETING ROOM SPACE AT BLAZE FARM, BUXTON ROAD, WILDBOARCLOUGH**

As there were no speakers registered for Item 8, the Chair brought forward Items 9 & 10 for consideration as the speakers had arrived for those items.

The Head of Development Management introduced the report and informed Members that since the report had been published, 2 further letters of objection had been received. Members were also reminded that this item had been considered at the Committee in June 2019, and Committee were minded at that time to approve the application, but the item was deferred under Standing Orders as the application was a departure from Policy. Members also tasked the applicant to supply further information with regard to the business arrangements, as well as how the business contributed to the National Park purposes.

The following spoke under the public participation at meetings scheme:-

- Mrs C Waller (not present) – Statement read out by the Chair
- Dr Owens, Objector
- Mr M Waller, Applicant

Members considered that the application reason for deferment had not been answered and that the end result would not be line with our policies or Design Guide.

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

**RESOLVED:**

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

- 1. The proposals are for the conversion of a wholly untraditional modern portal framed farm building which has no historic or vernacular merit to holiday/bunkhouse accommodation contrary to Core Strategy policies GSP1, GSP2, GSP3, RT2 and E2 and Development Management Policies DME2.**
- 2. By virtue of the scale of the proposed use when taken with the existing and extant tourist uses, the tourist business would be unlikely to remain ancillary and subsidiary to the agricultural business contrary to Development Management Policy DME2.**
- 3. The proposals would perpetuate the presence of a building that by virtue of its massing, detailing and materials does not contribute to the character of the area and which is prominent from public vantage points contrary to Core Strategy policies GSP2 and GSP3 , Development Management Policy DMC3 and advice in the Authority's Adopted Design Guide**

Cllr K Potter left the meeting at 14:40.

**19/20 FULL APPLICATION: CHANGE OF USE OF AGRICULTURAL FIELD TO OFF-LEASH DOG WALKING AND TRAINING FIELD AT LAND NEAR BANK TOP FARM, UNNAMED SECTION OF C39 FROM EXLOWMERE LANE TO B5056, WINSTER**

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



The Senior Planner introduced the report and informed Members that since the report had been published, a further 15 letters of representation had been received, 1 in support and 14 objecting. No new planning issues had been raised.

The following spoke under the public participation at meetings scheme:-

- Mrs M Roper, Objector
- Mr P Brown on behalf of the applicant

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

**RESOLVED:**

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

1. **The proposed development is contrary to planning policy E2 as it does not represent a type of business development permitted in the countryside by this policy.**
2. **Because the development fails to make a contribution to the understanding and enjoyment of the National Park, is not appropriate to the National Park's valued characteristics, and does not make a clear demonstration of need for an open countryside location, it is contrary to policy RT1.**
3. **The proposed fencing and use of the site for car parking would have a harmful impact on the traditional agricultural character of the locality, contrary to policies L1, DMC3, RT1, and paragraph 172 of the NPPF.**
4. **The use of the site for dog walking and training would be prejudicial to the existing use of the surrounding land for farming.**
5. **The proposed use would harm the relative tranquillity of a valued area of recreational and amenity value, contrary to paragraph 180 of the NPPF.**

**20/20 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017: PROPOSED CONVERSION OF FORMER BARN TO HOLIDAY ACCOMMODATION AND ASSOCIATED WORKS TO ACCESS AND PARKING AREA, AND FORMATION OF NEW ACCESS TO BROOKSIDE FARM, UNNAMED SECTION OF A623 FROM MIRES LANE TO LONG LANE, WARDLOW**

The North Area Team Manager introduced the report in conjunction with Item 11 and explained that where it was felt that a proposed project was considered to have a significant effect on a protected habitats site, then an appropriate assessment of the implications must be undertaken.

The Officer reported that it was concluded that an assessment under the Habitat Regulations was not needed as the distance of the drainage field from the designated site would ensure that the phosphate levels would be considerably reduced before they entered the river, and would not have a significant impact on the Cressbrook Dale Special Area of Conservation.

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

**RESOLVED:**

1. That this report be adopted as the Authority's assessment of likely significant effects on protected habitat under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) in relation to the proposed conversion of Roost Barn to a single (restricted holiday occupancy) dwelling at Brookside Farm, Wardlow.
2. It is determined that the conversion is unlikely to have a significant effect on the Cressbrook Dale SAC. Thus redevelopment of the site is not considered to be contrary to the provisions of Regulation 61 and 62 of the Conservation of Habitats and Species Regulations 2017 (as amended) and the EU Habitats Directive and an Appropriate Assessment is not considered necessary.

**21/20 FULL APPLICATION: CONVERSION OF FORMER BARN TO HOLIDAY ACCOMMODATION AND ASSOCIATION WORKS TO ACCESS AND PARKING AREA, AND FORMATION OF NEW ACCESS TO BROOKSIDE FARM, UNNAMED SECTION OF A623 FROM MIRES LANE TO LONG LANE, WARDLOW**

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

The Planning Officer had introduced the report in conjunction with Item 12, and updated Members that since the report had been published an Environmental Management Scheme had now been received.

Members requested that additional conditions be added regarding the re-use of the existing stone lintels, and that the air source heat pump and solar panels be brought into use before the holiday accommodation is occupied.

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

**RESOLVED:**

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

1. Statutory 3 year time limit for commencement of development
2. Specification of approved amended and submitted plans which shall be subject to the following additional conditions and/or modifications;
  - i) Submit detailed scheme for the raising of the soil levels for the drainage field for agreement in writing and implementation before occupation.

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3. **Restriction to short let holiday residency only ancillary to Brookside Farm**
  4. **Withdraw Permitted Development rights.**
  5. **Conversion within shell, rebuilding limited to exactly what is in structural report.**
  6. **Underground new service lines within applicant's ownership.**
  7. **Agree location and style of any meter boxes on Roost Barn**
  8. **The new windows and doors shall be timber – window in south elevation to be inward opening hopper, large opening lights frames to be top hinged.**
  9. **The new window and door frames shall be recessed a minimum of 100mm.**
  10. **Black timber or cast metal rwg's, gutters on metal brackets.**
  11. **Mortar pointed verges with no projecting timber work.**
  12. **Highway Authority access and visibility requirements.**
  13. **Footnotes from local lead flood authority.**
  14. **Submit and agree details of any external lighting – which shall be low energy and sensor controlled.**
  15. **The recommendations in Section 5 of the Phase 2 Bat and bird activity survey report shall be followed unless otherwise agreed in writing.**
  16. **Minor design details re new stonework, walling and repointing.**
  17. **External landscape works implementation.**
  18. **Submit and agree a Written Scheme of Investigation for a scheme of building recording and archaeological monitoring.**
  19. **Submission and implementation of a detailed environmental management plan for the building to meet Policy- CC1.**
  20. **A scheme to be submitted prior to removals of the lintels for re-use where possible, and details of any replacements**

necessary

21. That the air source heat pump and solar panels be brought into use before the accommodation is occupied.

**22/20 S.73 APPLICATION: REMOVAL OR VARIATION OF CONDITION 4 IMPOSED UPON NP/HPK/1118/1010 AT MILLERS DALE STATION, MILLERS DALE**

The Planning Officer introduced the report which was to agree an amendment to the approved plans to change the approved solar photovoltaic slates to photovoltaic panels, due to problems securing a supplier for the slates.

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

RESOLVED:

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

1. Development to be carried out in accordance with specified approved plans, subject to the following conditions and amendments.
2. Natural blue slates to be used for the re-roofing, to match as closely as possible the existing slates to the Booking Office and attached Post Room. Ridge tiles to match the existing ridge tiles to the Booking Office and attached Post Room.
3. The solar panels shall be fitted flush with the roof slope.
4. Details of roof trusses and ridge to be agreed.

**23/20 ASSESSMENT UNDER THE HABITAT REGULATIONS: DELEGATED AUTHORITY**

The Head of Development Management informed Members that the proposal was that the of the delegated powers to make a Stage 1 and Stage 2 of the Habitat Regulations assessment be delegated to the Chief Executive,, although it is proposed that these stages would be delegated to Officers.

If there was a project that had serious public objections or that had significant impacts that could not be mitigated in Stages 3 & 4, these matters would be not delegated but brought to Planning Committee for wider consideration.

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

**RESOLVED:**

**That authority be delegated to the Chief Executive:-**

- **To determine whether an appropriate assessment is required under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended)**
- **To carry out appropriate assessments under regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 (as amended) including, without limitation, to require further information, to carry out consultations (and for that purpose to determine whether the opinion of the general public should be taken) and to have regard to any representations received.**

**24/20 HEAD OF LAW REPORT - PLANNING APPEALS**

Members considered the report on appeals lodged, withdrawn and decided during the last month

**RESOLVED:**

**That the report be received.**

The meeting ended at 3.35 pm