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## **MINUTES**

Meeting: **Planning Committee**

Date: Friday 10 July 2020 at 10.00 am

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

Chair: Mr R Helliwell

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

Cllr K Richardson attended to observe and speak but not vote.

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### **45/20 MINUTES OF PREVIOUS MEETING HELD ON 6 MARCH 2020**

The minutes of the last meeting of the Planning Committee held on the 26 March 2020 were approved as a correct record, subject to the following amendments.

That Mr Paul Ancell be added to the attendance list when the meeting was reconvened in the afternoon.

#### **MIN 31/20**

**That the wording in condition 4 be amended to read “ which may be Upvc, timber or powder coated aluminium”**

### **46/20 CHAIRS ANNOUNCEMENT**

The Chair welcomed Cllr Ken Richardson, from Barnsley Metropolitan Borough Council, to his first Planning Committee, following the sad loss of Cllr Doug Birkinshaw. Cllr Richardson was observing the meeting as part of his planning training.

The Chair, on behalf of all Members thanked Mr Paul Ancell, former Chair of Planning Committee, whose appointment as a Secretary of State appointed Member had now ended after 10 years.

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**47/20 MEMBERS DECLARATIONS OF INTEREST**

Item 6

Cllr D Chapman had received an email from the applicant, Mr L Johnson

Cllr Kath Potter, Mr R Helliwell, Mr K Smith & Cllr D Chapman declared a personal interest, as they knew one of the speakers, Mr A Critchlow, as a former Member of the Authority.

Cllr A McCloy & Mr K Smith had both commented previously on the application, but would be coming into the meeting with an open mind.

Miss L Slack declared a prejudicial interest as the applicant was friend of a relative.

Item 7

It was noted that most Members had received emails from the Agent, as well as Mr Tressider & Mr Sparks.

**48/20 PUBLIC PARTICIPATION**

Nine members of the public had given notice to make representations to the Committee.

**49/20 FULL APPLICATION - CHANGE OF USE OF EXISTING AGRICULTURAL BUILDING TO A MIXED USE FOR GENERAL AGRICULTURE AND TIMBER PROCESSING, INCLUDING FORMATION OF A TIMBER DRYING KILN, INSTALLATION OF BIOMASS POWERED HEATERS AND FLUES, AND BUILDING REFURBISHMENT INCLUDING RE-ROOFING AND UPGRADED EXTERNAL WALL COVERINGS AT HEATH FARM, SMALLDALE**

Miss L Slack had declared a prejudicial interest so left the room while this item was discussed.

The Head of Development Management introduced the report, and informed Members that this application had originally been discussed under the "Emergency Delegated Powers" in June where it was agreed that the application should be deferred for a site visit. As a virtual Planning Committee had then been organised the Director of Conservation and Planning had decided that the application should be determined by the Planning Committee.

A site visit with the Chair & Vice Chair of Planning Committee together with the Head of Development Management had taken place on the previous day.

The Head of Development Management updated Members to note that since the report had been written, additional information had been supplied in that the Applicant and landowners were willing to enter into a legal agreement which would meet the requirements of policy and make the development acceptable. However it was an "on balance" decision and Officers were still of the opinion that the application should be refused.

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

- Mr S Morten, Supporter – Statement read out by Democratic Services
- Mr A Critchlow, Supporter – Statement read out by Democratic Services
- Mr R Claxon, Supporter – Statement read out by Democratic Services
- Mr R Largan MP, Supporter – Statement read out by Mr Harrison Elliott
- Mr L Johnson – Applicant

Following the additional information provided by Officers, Members were minded to approve the application, if the conditions regarding outside storage, noise and landscaping were right together with a legal agreement regarding the land ownership and linking the agricultural land to the kiln drying wood business.

A motion to approve the application subject to a legal agreement and conditions, the details of which to be delegated to the Director of Conservation & Planning in consultation with the Chair and Vice-Chair of Planning, was moved, seconded, voted on and carried.

**RESOLVED:**

**That the application be APPROVED subject to the entering into of a S106 agreement linking the agricultural land to the kiln drying wood business and the following conditions the details of which are to be delegated to the Director of Conservation & Planning in consultation with the Chair and Vice Chair of Planning:**

- 3 year implementation period.
- Development to be carried out in accordance with specified plans.
- Details of building refurbishment and alterations.
- Restrict access to marked track and restrict vehicle numbers
- Landscaping including management plan for thinning of woodland block to ensure screening is maintained.
- Area and height of storage of logs to be specified.
- Hours of Operation
- Noise level limits against background levels
- Solar panels to be installed to power the kiln
- CC1 environmental management measures

**The meeting adjourned for a short break at 11:35 and reconvened at 11.45**

**Cllr A Gregory left the meeting during the break and Miss L Slack rejoined the meeting.**

**50/20**

**FULL APPLICATION - SINGLE STOREY SIDE AND REAR EXTENSION, AND THE REPLACEMENT OF THE FRONT PORCH AT STUBLEY, CREAMERY LANE, PARWICH, ASHBOURNE, DE6 1QB**

The Head of Development Management introduced the report, and informed Members that although the design was not inherently bad, there are policies on what is appropriate in the National Park and relevant to the place as set out in the Authority's adopted Design Guide and that the proposed scheme was not in accordance with that Design Guide.

The following spoke under the public participation at meetings scheme.

- Ms J Bennett, Supporter
- Ms V Micklefield, Supporter
- Mr L Sparks, Supporter
- Mr S Selencky, Agent

The motion to support the Officer Recommendation to refuse the application was moved, seconded, put to the vote and lost.

A number of members considered that the scheme was acceptable and would have no undue harmful effect on the National Park, the neighbouring properties or the Conservation Area, and it would be an enhancement to the property.

A motion for approval on the grounds of enhancement sufficient to override adopted policy as set out in the design guide, based on the reasons set out above subject to standard conditions, was moved, seconded, put to the vote and carried.

**RESOLVED:-**

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

- **3 year implementation period**
- **Materials to be agreed by the Authority**
- **Development to be carried out in accordance with specified plans**

**In accordance with Standing Orders, the Committee voted to continue its business over 3 hours.**

**51/20 ANNUAL REPORT ON PLANNING APPEALS 2019/2020**

The Head of Development Management presented the report which was to provide Members with a breakdown on the appeals that had been dealt with over the period 2019/2020. There was one amendment to the report on Page 45 second bullet point 9 (22%) appeals should be replaced with 9 (22%) applications.

The Director of Conservation & Planning updated Members on two cases where the Inspector had allowed listed building appeals with a poorly reasoned justification. Having received independent legal advice on the matter, the Director had written to the Planning Inspectorate's Chief Planner to express our concerns.

**RESOLVED:-**

**To note the report.**

**52/20 PLANNING APPLICATIONS DEALT WITH UNDER EMERGENCY DELEGATION FOR APRIL, MAY & JUNE 2020**

The Director of Conservation & Planning updated Members on those applications that had been dealt with under the "Emergency Delegation Scheme" since April.

He then went on to update Members to the changes to the resolution on the S73 Application, NP/DDD/1219/1344, regarding the Rock Mill development.

Following discussions with the applicant over the last few weeks to agree the section 106 agreement it became apparent that the wording of the resolution did not reflect what had been offered by the applicant and discussed when the application on 3 April was approved, as it was clear then that a concurrent build may not be possible, but that an alternative form of wording could be agreed. The Legal team have advised that part of the original resolution should be replaced with the wording below:

*“subject to prior entry into a Section 106 legal agreement to secure a mechanism to require completion of the Cupola Building (external shell) either concurrently with the Rockmill Building or alternatively within a certain period of time from the commencement of development, and requiring the Cupola Building to be completed no later than two years after the completion of the Rockmill Building. The S.106 shall also secure....”*

**RESOLVED:-**

**To note the report and the amendment to the resolution regarding Rock Mill.**

**53/20 HEAD OF LAW REPORT - PLANNING APPEALS**

The Director of Conservation & Planning drew to the Committee's attention that all three new appeals lodged related to enforcement cases which had been issued and served over the past few months.

**RESOLVED:**

**To note the report.**