
MINUTES

Meeting: **Planning Committee**

Date: Friday 11 September 2020 at 10.00 am

Venue: Webex - Virtual Meeting

Chair: Mr R Helliwell

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

Apologies for absence: Cllr I Huddleston and Cllr K Richardson.

74/20 MINUTES OF PREVIOUS MEETING OF 7TH AUGUST 2020

The minutes of the last meeting of the Planning Committee held on 7 August 2020 were approved as a correct record subject to correcting that Cllr. Potter was a member of CPRE and not Friends of the Peak District.

75/20 URGENT BUSINESS

There were no items of urgent business.

76/20 MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr D Chapman declared a prejudicial interest as the applicants were friends and would withdraw from the meeting when this item was discussed.

Item 7

Cllr A McCloy declared a prejudicial interest as a member of Youlgrave Parish Council and he had taken part in parish council discussion. Cllr McCloy would withdraw from the meeting when this item was discussed.

Cllr Potter declared that she is a member of CPRE and Friends of the Peak District is affiliated to CPRE who had commented on this item.

Item 8

Ms L Slack declared a prejudicial interest as the applicants were parents of a friend and would withdraw from the meeting when this item was discussed.

Item 9

Mr R Helliwell declared that he would withdraw from the meeting when this item was discussed as he had already formed a view on the application.

Item 10 & 11

All Members declared a personal interest as both applications were on behalf of the Authority.

77/20 PUBLIC PARTICIPATION

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

78/20 FULL APPLICATION - SITING OF A LOG CABIN FOR USE AS AN AGRICULTURAL WORKERS DWELLING ANCILLARY TO THE FARMHOUSE - SHEPLEY FARM, CHELMORTON (NP/DDD/0420/0370, MN)

Cllr D Chapman declared a prejudicial interest and left the meeting during consideration of this item.

Due to issues with broadcasting the committee was adjourned at 10.25 and reconvened at 11.05

The Planning Officer introduced the item which had been deferred from the Committee on 7 August 2020 for further discussions between the applicant and Officers. The siting of the caravan had been changed and would be set into the ground to reduce the impact on the landscape but no further supporting evidence had been supplied to support the application for a agricultural workers dwelling and Officers still felt the application should be refused.

The Head of Development Management clarified that the application was for an ancillary dwelling and not an Agricultural workers dwelling as there had been no supporting evidence received from the applicant. Members were asked to consider the application as an ancillary dwelling and any grant of permission would have to be subject to the applicant amending the wording of the application description.

The following spoke under the Public Participation at Meetings Scheme:

- Dominic Cooney – Agent

Members were minded to approve the application to avoid the fall-back position of installing a caravan in the garden of the farmhouse. They also requested that a comprehensive legal agreement regarding removal of the caravan be agreed to ensure its removal after 10 years or earlier if alternative accommodation became available.

The recommendation to approve the application contrary to Officer recommendation, subject to conditions and a legal agreement regarding removal of the caravan was moved and seconded.

The Head of Development Management confirmed that if the caravan were to remain after 10 years a new planning application would be required. She also highlighted concerns regarding the lack of sustainability of the application in line with policy CC1.

The Planning Officer confirmed that even though the applicant had offered to enter into a legal agreement regarding the temporary nature of the caravan there was no need for a legal agreement as this would be controlled by inclusion in the conditions which he outlined.

The recommendation to approve the application contrary to Officer recommendation and subject to conditions was voted on and carried.

RESOLVED:

To APPROVE the application subject to applicant amending the wording of the application description and subject to the following conditions:

- 1. Implementation period of three years.**
- 2. Proposal to accord with the amended plans.**
- 3. A section plan to be provided to show the levels in order to confirm that the caravan is cut in and not built on raised ground.**
- 4. The use of the caravan to cease within ten years or when alternative accommodation becomes available, whichever is the sooner and subsequent removal.**
- 5. Reinstatement of the original landscape following removal of the caravan.**
- 6. Occupation ancillary to Shepley Farm only.**
- 7. Drainage details to be submitted.**
- 8. All services to the caravan to be underground.**
- 9. Details of the timber finish and stain or painted finish to be agreed.**

79/20 FULL APPLICATION - USE OF FIELD FOR FIVE TOURING CARAVANS - LOWER GREENFIELDS CARAVAN SITE, UNNAMED ROAD FROM CLIFF LANE TO MAWSTONE LANE, ALPORT (NP/DDD/0720/0613, TS)

Cllr D Chapman returned to the meeting, Cllr A McCloy declared a prejudicial interest and left the meeting during consideration of this item.

The Head of Development Management introduced the item. A previous application for 15 caravan pitches had been refused by the Authority and the refusal upheld by the Planning Inspectorate. The Head of Development Management reminded Members that the Planning Inspectors decision was a material consideration.

The following spoke under the Authorities Public Participation Scheme:

- Karen & Glynn Hind – Applicants – Statement read out by Democratic Services

The Officer recommendation to refuse the application was moved and seconded.

Cllr Potter confirmed she would abstain from voting as she had not been able to speak on the application due to connectivity issues.

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

RESOLVED:

That the application be REFUSED for the following reason:

- 1. The proposed development would result in unacceptable expansion of the existing caravan site that would result in a form of development that would be visually prominent and harmful to the valued landscape character and scenic beauty of the National Park. It would result in significant harm to landscape character contrary to policies L1, RT3, DMR1 and DMC3 and the guidance contained within section 15 of the National Park Planning Policy Framework.**

The meeting adjourned for a short break at 12.20 and reconvened at 12.30

80/20 FULL APPLICATION - ERECTION OF AN AGRICULTURAL WORKERS DWELLING - CLEULOW CROSS, WINCLE (NP/CEC/0919/1034, MN)

Cllr A McCloy returned to the meeting. Ms L Slack declared a prejudicial interest and left the meeting during consideration of this item.

The Planning Officer introduced the item and confirmed that although the application was for an agricultural workers dwelling no appraisal had been submitted by the applicant to support the need for the accommodation and it was clear that the applicant only spent 25% of his time working on the farm. Other concerns were the location of the building, design issues and the low level of climate change/energy efficiency measures proposed.

The following spoke under the Public Participation at Meetings Scheme:

- Rebecca Melland, Applicant – video recording submitted.

Members were concerned regarding the lack of supporting evidence for an agricultural workers dwelling.

The Officer recommendation to refuse the application was moved.

The Planning Officer confirmed that there needed to be a proven need for the agricultural worker to be situated on the farm and that the farm would be able to sustain the development. This was not proven for this application.

The motion to refuse the application was seconded, put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposals fail to demonstrate the essential need for a further agricultural dwelling on the site, contrary to policies HC2 and DMH4.**
- 2. By virtue of the proposed siting outside of the existing building group, and the propose scale and massing, the development would fail to conserve the appearance of the landscape as required by policies L1 and DMC3.**

3. **The development fails to demonstrate how it will achieve the highest possible standards of carbon reductions and water efficiency, contrary to Core Strategy policy CC1.**
4. **The detailed design of the dwelling house fails to reflect or compliment the style and building traditions of the locality, contrary to policy DMC3.**

81/20 SECTION 73 APPLICATION - FOR THE REMOVAL OR VARIATION OF CONDITION 1 ON NP/SM/0915/0895 AT LOWER DAMGATE FARM, ILAM (NP/SM/0420/0318/SC)

Ms L Slack returned to the meeting. Mr R Helliwell declared that he had already formed a view on this application and left the meeting during this item. Mr K Smith took on the role of Chair in Mr Helliwell's absence.

The Head of Development Management introduced the item and confirmed that a letter of support had been received from the Parish Council following publication of the report. Consideration had been given to the implications on small businesses of the current pandemic and more flexibility applied to the judgement of this application.

The following spoke under the Public Participation at Meetings Scheme:

- Lisa Wain, Supporter – statement read out by Democratic Services
- Carolyn Wilderspin, Applicant – video recording submitted

Members felt weight should be given to the support of the parish council but had concerns about the number of events the applicant was requesting. Members requested clarification on how the proposed numbers from the Authority had been reached? The Head of Development Management confirmed that the figures were based on an assessment by Officers of the level of events and the harm to amenity that would arise. No other application for extension or changes had been received from any similar business.

Members were minded to agree to a total of 20 events for 2021 and 16 for 2022

A motion to approve the application with the amended figures of 20 events for 2021 and 16 for 2022 was moved, seconded, put to the vote and carried.

Ms L Slack abstained from voting due to issues with her connection to the meeting.

RESOLVED:

That the application be APPROVED subject to condition 1 of NP/SM/0915/0895 being varied to read:

1. **There shall be no more than 20 wedding events for the calendar year 2021 and 16 for the calendar year 2022 on land within the applicant's ownership at Lower Damgate Farm and no more than one event with more than 30 guests shall take place at Lower Damgate Farm in any five day period. From 1 January 2023 there shall be no more than 12 wedding events in any one calendar year. Additionally no more than 2 one –off community and charity events, and 1 local school event per year, and no more than 2 small events/workshops per week (such as yoga classes and art classes) shall take place in the barn. The residential/community workshops shall be limited to the hours of 09:00 to 21:00 hours and the number of guests at**

these workshops shall not exceed 30. The owner/operators shall maintain an up-to-date register of the dates of bookings and the names of all clients who book this venue, and shall, on request, make this information available at all reasonable times to the Authority.

Cllr G Wharmby left the meeting at 13.35

82/20 LISTED BUILDING CONSENT - FOR REPAIR WORKS COMPRISING: CRACK REPAIRS, CRACK STITCHING, RE-POINTING (USING LIME MORTAR), DE-VEGETATION AND REMOVAL OF TREES, INSTALLATION OF TELL TALES AND MORTAR TABS, REBUILDING OF AREAS OF COLLAPSE - MONSAL DALE VIADUCT, MONSAL DALE (NP/DDD/0720/0611, TS)

The Head of Development Management introduced the item and explained that the volume of repair work required a planning application and that an additional condition would be added to record and submit information on all repairs and the information to be added to the historic record. Condition 8 of the report would be removed as any future large scale repair work would need to be brought before a future committee and could not be approved in advance.

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

RESOVLED:

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

- 1. Time limit for commencement.**
- 2. Development to be carried out in accordance with the submitted details and specifications.**
- 3. Mortar repairs and repointing to match the existing lime mortar with a sample to be submitted and approved.**
- 4. All brick and stone to match existing.**
- 5. Method statement for brick and stone repairs to be submitted and approved, including use of hand tools only.**
- 6. Method statement for crack stitching to be submitted and approved.**
- 7. Specific details of the monitoring devices to be submitted and approved.**
- 8. Details of any access equipment that requires temporarily fixing to the viaduct to be submitted and approved.**
- 9. Works to be carried out in accordance with the submitted Precautionary Working Method Statement in respect of roosting bats.**
- 10. Details of equipment and material storage areas to be submitted and approved.**
- 11. Details of all repairs to be recorded and the information added to the historic document.**

83/20 LISTED BUILDING CONSENT - PROPOSED REPAIR WORKS TO MILLERS DALE SOUTH VIADUCT (NP/HPK/0720/0635. DH)

The Planning Officer introduced the report and asked that the Precautionary Method Statement covering bats set out in the ecological report should be added as a condition and an additional condition to record and submit information on all repairs and the information to be added to the historic record. Condition 18 of the report would be removed as any future large scale repair work would need to be brought before a future committee and could not be approved in advance.

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

Members asked if there was a reason why only one parish council had been consulted on the application as the site spanned two parishes. Officers confirmed this was an error and apologised.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Time limit for commencement.**
- 2. Development to be carried out in accordance with the submitted plans and specifications**
- 3. Storage areas for the duration of the works shall be agreed in writing prior to works commencing**
- 4. Environment Agency Pollution Prevention Guidelines shall be adhered to throughout the works.**
- 5. Details of any access equipment that requires temporarily fixing to the viaduct to be submitted and approved.**
- 6. Where necessary defective mortar shall be raked out by hand as specified in the amended Method Statement**
- 7. Mortar repairs and repointing to match existing lime mortar, a sample of which is to be provided for written agreement with the National Park Authority prior to the works commencing**
- 8. Removal of any defective stonework or brickwork shall be done using hand tools only as specified in the amended Method Statement**
- 9. Any repair to or replacement of stonework or brickwork shall match the existing**
- 10. The method of grit blasting the three spans shall be agreed in writing by the Authority.**
- 11. Paintwork shall match the existing**

12. Details of any pips or other monitoring devices shall be provided with locations for agreement in writing with the Authority prior to installation

13. The Precautionary Method Statement relating to Bats to be carried out in full.

14. Details of all repairs to be recorded and the information added to the historic document.

Footnote regarding the Greenway.

84/20 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

The Head of Development Management introduced the report which was welcomed by Members.

A motion to receive the report was moved, seconded, put to the vote and carried.

RESOLVED:

To note the report.

The meeting ended at 2.00 pm