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MINUTES

Meeting: **Planning Committee**

Date: Friday 9 October 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, Ms A Harling, Cllr A Hart, Cllr A McCloy, Cllr Mrs K Potter, Cllr K Richardson, Miss L Slack and Cllr G D Wharmby

Apologies for absence: Cllr A Gregory.

85/20 MINUTES OF PREVIOUS MEETINGS OF 21ST AUGUST AND 11TH SEPTEMBER 2020

The minutes of the last meetings of the Planning Committee held on 21 August and 11 September 2020 were approved as correct records.

86/20 URGENT BUSINESS

There were no items of urgent business to consider.

87/20 MEMBERS DECLARATIONS OF INTEREST

Item 7

Cllr A McCloy declared a personal interest as he had received emails from the applicant but had not formed a view on the application.

88/20 PUBLIC PARTICIPATION

Nine members of the public had given notice to speak under the public participation at meetings scheme.

89/20 HOUSEHOLDER APPLICATION - UNDERGROUND GARAGE/WORKSHOP TO REPLACE EXISTING TEMPORARY WOODEN STRUCTURES AT SLALEY HALL COTTAGE, LEYS LANE, SLALEY

It was noted that the Chair and Vice Chair had visited the site on the previous day with the Head of Development Management.

The Head of Development Management introduced the report and suggested amendments to 2 of the conditions in the recommendation. If the front wall was raised at the end near the neighbouring land and a raised bed was included on top of the garage and maintained this would prevent overlooking of neighbouring land. Therefore the Officer suggested replacing the wording of condition 7 of the recommendation with 'submission of a scheme for a raised bed at the south western side of the site of a suitable width to prevent overlooking of neighbouring land and the raised bed to be retained in perpetuity'. This would mean condition 3 of the recommendation could be amended by deleting the words 'and omission of the access onto the garage roof'.

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

- Mr Peter O'Halloran, Applicant – recorded speech.

The recommendation for approval subject to conditions as amended was moved and seconded.

In response to Members' queries the Officer stated that a fence or screen had been considered but it would have been inappropriate due to rising land adding height which would be overbearing. The applicant had objected to the condition preventing any domestic use so the raised bed was a compromise.

The motion for approval subject to the amended conditions was voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Standard 3-year time limit.**
2. **Compliance with amended plans and details.**
3. **Submission of details prior to the garage being constructed of the roofing material of the garage.**
4. **Design and materials.**
5. **Workshop to remain ancillary to main dwelling.**
6. **Garage to remain for garaging of private domestic vehicles only.**
7. **Submission of a scheme for a raised bed at the south western side of the site of a suitable width to prevent overlooking of neighbouring land and the raised bed to be retained in perpetuity.**
8. **Source of local stone and timber to be submitted for approval.**

Cllr Hart abstained from the vote as he had arrived following the start of the presentation of this item and Cllr Chaplin abstained as he encountered connectivity issues during the item.

90/20 FULL APPLICATION - ERECTION OF AN AGRICULTURAL BARN FOR THE HOUSING OF LIVESTOCK AND STORAGE, LAND NEAR TO DALE FARM, MIDDLETON BY YOULGRAVE

It was noted that the Chair and Vice Chair of the Committee had visited the site on the previous day with the Head of Development Management.

The Planning Manager – South Area introduced the report and stated that the proposals did not address the reasons for refusal of a previous application last year.

The following addressed the Committee under the public participation at meetings scheme:

- Mr and Mrs Brocklehurst, Objectors – statement read out by Democratic Services
- Ms Kay Davies, Agent for Objectors Mr and Mrs Brocklehurst – live telephone call
- Mr Dominic Cooney, Agent for the Applicant – video recording.

It was noted that the application was brought to the Committee as the Parish Council now supported the application but the recommendation was for refusal. The Parish Council had not supported the previous application so that had been dealt with under delegated powers.

The recommendation for refusal was moved.

Ms A Harling declared a personal interest as she knew some of the people who had submitted written representations but she had not discussed the application with them or formed a view on it.

The motion for refusal was seconded.

Members noted the conflict between the desire to support a farming family within the community and the need to protect the listed buildings and monuments in the area but recognised that in line with National Park purposes and our policies that the building would be harmful to the special qualities of the National Park.

RESOLVED:

That the application be REFUSED for the following reason:

- 1. The introduction of the proposed building in an open and undeveloped landscape that makes a positive contribution to the setting of the Middleton-by-Youlgrave Conservation Area and to the setting of several Listed Buildings would significantly alter the character of the site and would result in significant harm to the landscape character of the area, the setting of the conservation area and the setting of the nearby listed buildings. The development would therefore fail to conserve the valued characteristics of the National Park and is contrary to policies GSP1, GSP2, GSP3, L1, L3, DMC3, DMC7, DMC8 and DME1 and the guidance contained within the National Planning Policy Framework.**

The meeting adjourned for a short break at 11.30 and reconvened at 11.40. When the meeting reconvened as Cllr Hart had been slightly late joining the start of the meeting due to connectivity issues he clarified that he had no interests to declare. Cllr McCloy stated that he would need to leave the meeting at 12.30pm due to another commitment.

91/20 VARIATION OF CONDITIONS 2 AND 3 ON NP/DDD/0219/0137 ALSOP RIVENDALE TOURING CARAVAN AND LEISURE PARK, UNNAMED SECTION OF A515 FROM CROSSLOW LANE TO BACK LANE, ALSOP- EN- LE- DALE

The Head of Development Management introduced the report and drew attention to the appeal inspector's decision in 1998, with regard to the site, which stated that the caravans should not be occupied by any one person, either individually or as part of a group, for a continuous period exceeding 28 days, or for more than a total of 56 days in any calendar year. It was noted that 4 site occupiers wanted to carry on their current site licences for static caravans without the 56 days occupation per year limit. The Officer also requested that Condition 21 to be amended to include reference to the 2 tree houses which were permitted but omitted from the condition.

The following addressed the Committee under the public participation at meetings scheme:

- Mr and Mrs Gallagher, Objectors – statement read out by Democratic Services
- Mr Steve Matthews and Ms Karen Marshall, Objectors – statement read out by Democratic Services
- Mr Ray Bridgman, Objector – statement read out by Democratic Services
- Ms Carol Broderick, Objector – statement read out by Democratic Services
- Mr Jeff Broderick, Objector – statement read out by Democratic Services.

Cllr I Huddleston left the meeting at 12 noon.

In response to Members' queries the Officer stated that the Authority had copies of the licence agreements and the site rules reflected the appeal Inspector's decision regarding occupancy and that all licensees had signed up to this. No lawful use applications had been received and there was no complaints or evidence of any breaches of the conditions.

The recommendation for approval subject to conditions as amended was moved and seconded. The motion was then voted on and carried.

RESOLVED:

That subject to the applicant entering into a unilateral undertaking to agree relinquishment of existing planning permissions and rights, and to commit that on expiration the 4 licenses shall not be extended or renewed, that the units will all be replaced with cabins in line with the remainder of the site not later than one month after the expiration of the site license in each case, and that the letting after each of the site licenses expiration will immediately be restricted to occupation for short term holiday use of no more than 28 days per year by any one person, in line with the remainder of the site; the application be APPROVED subject to conditions to control the following elements:

1. Time limit for commencement.
2. Development to be carried out in accordance with the submitted plans.
3. Holiday occupancy restriction of 28 days to be placed on all units with the exception of the four units identified as 'existing plots' on 'Revised proposed masterplan plan B' dated 22/05/2019.
4. The four units identified as 'existing plots' on 'Revised proposed masterplan plan B' dated 22/05/2019 for the term of each of their existing site license shall be occupied for no more than 28 days consecutively by any one individual and no more than 56 days in total in any calendar year

by any one individual. After the term of each of the site licenses expires or, if earlier, is terminated or otherwise is abandoned the unit shall be occupied for no more than 28 days by any one individual in any calendar year.

5. In respect of the four units currently sited on the plots identified as existing plots' on 'Revised proposed masterplan plan B' dated 22/05/2019, the 4 plots can remain static caravans until each of the respective site licence expires as follows:
Unit 1: signed 21/07/2017 Ends: 31/12/2047
Unit 2: signed 02/12/2016 Ends: 31/12/2033
Unit 3: signed 10/11/2016 Ends: 21/12/2032
Unit 4: signed 28/01/2014 Ends: 31/12/2045
or, until such licence is terminated or otherwise is abandoned.
On the expiry of each of the licences or at the time that any of the licenses are terminated or otherwise abandoned:
 - a) the related static caravan shall be removed from the site within two weeks of the expiration of the license
 - b) the plot shall thereafter only be used for the placement of a lodges to match the specification and appearance approved elsewhere on the site. c) This condition does not prevent the replacement of any of the 4 static caravans with a lodge to match the specification and appearance approved elsewhere on the site at any time earlier than the expiration of the site license and the occupation would continue to be limited by condition 4 for the duration of the license unless otherwise terminated or otherwise abandoned.
6. The 4 units shall count towards the maximum permitted numbers of 75 lodges – i.e. caravans.
7. The field barns are to be omitted from the scheme other than the single barn that is only for a replacement bat roost.
8. Contaminated land remediation to be carried out as approved.
9. Ecology mitigation to be implemented as approved.
10. Facilities building is for use by overnight guests only.
11. The accommodation within the maintenance building shall be for occasional staff use only and shall not be let to visitors or be a permanent dwelling.
12. Renewables to be implemented.
13. Travel plan to be adopted and implemented.
14. Materials and colour details of all units to be implemented as approved.
15. Lighting scheme to be implemented as approved.
16. Scheme for grassland enhancement to be implemented as approved.
17. Provision and retention of parking spaces.
18. Materials and glazing details for new facilities and maintenance buildings to be implemented as approved.
19. Drainage strategy to be implemented.
20. The lodges, cabins and camping pods shall only be sited in accordance with the submitted plans and no units shall be sited elsewhere within application site.
21. Total number of lodges and cabins and tree houses shall not exceed 75 and the number of camping pods will not exceed 25 the number of tree houses shall not exceed 2, no other static or touring caravans, treehouses or pods shall be brought onto the site at any time and the number of tree houses shall not exceed 2.
22. . Camping pods shall not include kitchen facilities and shall be no larger than as set out on plans.

- 23. Landscaping scheme shall be approved.**
- 24. Scheme for protection of trees and replacement to be approved.**
- 25. Removal waste and demolition materials prior to occupation unless otherwise approved.**

92/20 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

Members considered the report of appeals lodged and decided within the past month. It was noted that since the report was produced decisions on 2 enforcement appeals had been received and these had been dismissed. The enforcement decisions would be included in the next appeals report.

RESOLVED:

To note the report.

The meeting ended at 12.25 pm