
MINUTES

Meeting:	Planning Committee
Date:	Friday 30 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 I Huddleston, Cllr Mrs K Potter, Cllr K Richardson and Miss L Slack
Apologies for absence:	Cllr A Gregory, Cllr A Hart, Cllr A McCloy, Cllr G D Wharmby, Mr Z Hamid and Prof J Haddock-Fraser

93/20 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS DECLARATIONS OF INTEREST

Item 6

Mr R Helliwell had received emails from Mr M Milinkovic & Mr T Thompson (CPRE) regarding this application.

Mr K Smith, Ms L Slack, Mr M Chaplin had received an email from Mr M Milinkovic.

Cllr D Chapman had visited the site with the Moors for the Future Team but had not formed a view on the application. He had also received an email.

Cllr I Huddleston declared a prejudicial interest as he was a member of the Local Access Forum and will leave the meeting during this discussion.

94/20 URGENT BUSINESS

There was no urgent business.

95/20 PUBLIC PARTICIPATION

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

96/20 FULL APPLICATION - ERECTION OF 3 AFFORDABLE LOCAL NEED DWELLINGS ON LAND OFF HARDY LANE, TIDESWELL (NP/DDD/0620/0548, JK)

The Chair and Vice Chair of Committee had visited the site on the previous day.

The Planning Officer introduced the report and updated the committee as the Protected Species and Bat Survey had been received shortly before the committee meeting but it had not changed the recommendation of the report. An amendment was required to reason 5 for refusal to show that the information had been received.

A change was required to paragraph 114 of the report to remove the word 'not' from the first sentence .

The following spoke under the Public Participation at Meetings Scheme:

- Mr Robert Hopkins, ELLERT, Applicant – video presentation

The recommendation to refuse the application subject to changes to reason 5 was moved.

Members noted that there was a need for affordable housing in Tideswell but that the site of the application was not suitable.

The motion to refuse the application subject to changes to reason 5 was seconded, put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following amended reasons:

- 1. Significant harm to TPO protected trees from the construction of houses within the root protection areas and underneath canopies resulting in the immediate and unnecessary loss of one tree and immediate damage to remaining protected trees contrary to Policies GSP1 -3 DMC11, DMC13, & L1. This would be highly likely to result in dieback, or death of the trees along with likely significant pressure from future residents for removal or lopping of trees if the development were to proceed.**
- 2. The proposed layout and the design of the houses, does not adequately reflect the established pattern of development in the locality and would harm the valued character and appearance of the local built environment and the streetscene and the setting of the adjacent listed building contrary to Policies GSP1-3 & DMC11, DMC3 DMC5 and DMC7.**
- 3. The significant harm to local biodiversity contrary to Policy GSP1-3, DMC1 from the immediate loss of the Lime Tree, the loss of semi natural green space and the adverse impact of the development on the remaining protected trees some or all of which would suffer immediate and longer term damage which would shorten their lifespan and likely result in pressures for removal/and/or significant alteration to their crowns from any future residents were the development to go ahead.**
- 4. Harm to the significance of the Conservation Area from the loss and damage of the protected trees and the poor layout/design which is not outweighed by the public benefit arising from the limited provision of affordable housing contrary to Policies DMC5 and 8.**
- 5. The submitted Tree Report does not meet the required standard as it contains a significant error in tree identification along with other inaccuracies. Furthermore the plans are incompatible with recommendations of the tree**

report most notably in respect of proposing strip foundations contrary to the report's recommendations.

97/20 FULL APPLICATION - SEMI SUBTERRANEAN OUT-BUILDINGS IN THE REAR GARDEN INCLUDING CREATION OF GARDEN TERRACE AT THE MOUNT, THE HILLS, BRADWELL (NP/DDD/1219/1340, CW)

The Chair and Vice Chair of the Committee had visited the site on the previous day.

The Planning Officer introduced the report and asked Members to note that a parking space which had been part of the application had now been removed.

The recommendation to approve the application was moved and seconded.

Members requested information regarding the Parish Council's objections to the development with regard to over development of the site. The Planning Officer confirmed that to the amendments to the scheme addressed their concerns relating to parking.

The Planning Office confirmed that the Conservation Officer's concerns had been addressed by the withdrawal of the parking space and amendments to the glazing and installation of balustrades on the terrace to the rear of the property.

The motion to approve the application subject to an additional condition regarding removal of waste from the site was put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1. 3 year implementation period.**
- 2. Development to be carried out in accordance with specified plans proposed side North ref.105 Rev A, proposed side south ref. 106 Rev A and proposed rear east ref 104 Rev C.**
- 3. All new stonework shall be natural limestone faced, coursed and pointed to match the existing stonework of the house.**
- 4. The new doors shall be recessed by 150mm from the external face of the stonework.**
- 5. The new doors to be provided in aluminium colour, to be approved in writing by the Authority prior to installation.**
- 6. The new door openings shall each be fitted with a natural gritstone lintel.**
- 7. The railing shall be painted dark grey and permanently so maintained**
- 8. The glazing shall be provided in transparent glass with no mirror finish applied.**
- 9. A scheme for removal of waste from the site will be agreed.**

Footnote: No permission granted for the front parking space which is omitted for the proposal

98/20 OFFER OF SECTION 106 AGREEMENT OBLIGATION IN RELATION TO ENFORCEMENT ACTION AGAINST THE CREATION OF A SURFACED TRACK ON LAND AT MICKLEDEN EDGE, MIDHOPE MOOR, BRADFIELD

The Director of Conservation and Planning introduced the report and clarified that the reason for the report was that Officers do not have the authority to agree a S106 obligation if it is not part of a planning application. The S106 offer set out in the report was a response to an Enforcement Notice to remove the track and an appeal by way of public inquiry.

The following spoke under the Authorities Public Participation Scheme:

- Mr M Milinkovic, Objector – statement read out by Democratic Services
- Mr S Rippon, Objector – statement read out by Democratic Services
- Mr T Thompson, Objector – statement read out by Democratic Services
- Mr D Sissons, Objector – live telephone call
- Mr H Folkard, Supporter – statement read out by Democratic Services
- Mr Bob Berzins, Supporter – statement read out by Democratic Services

Cllr D Chapman left the meeting at 11.35

There was a temporary break in the meeting at 11.45 for 5 minutes due to technical issues.

Members agreed with the proposed action. Although there was a likelihood of some further delay in securing removal of the track matting, this was acceptable in that the proposed terms would provide more certainty of outcome and likely save costs,

A motion to approve the Officer recommendations as set out in the report was moved.

Cllr M Chaplin declared a personal interest as he knew Mr Berzins and had discussed the matter with him around 15 months ago but had not pre-determined his view.

The motion to approve the officer recommendation as set out in the report was seconded, put to the vote and carried.

Cllr K Potter left the meeting at 11.55

RESOLVED:

- 1. That the offer of a section 106 obligation in respect of the Appeal relating to the creation of a track, Midhope Moor, Langsett (PINs ref no: APP/M9496/C/18/3215789) be accepted, subject to the omission of the clause requiring the Authority to waive its power to decline to determine a future application.**
- 2. The detailed wording of the section 106 obligation to be delegated to the Director of Conservation and Planning in consultation with the Head of Development Management, and the Head of Law.**

99/20 MONITORING AND ENFORCEMENT ANNUAL REVIEW - OCTOBER 2020 (A.1533/AJC)

The Monitoring and Enforcement Team Manager introduced the report and updated Members on the current issues regarding vacant posts and the impact of COVID-19. He reported that targets had not been reached, largely because of staff vacancies in 2020. At the beginning of the year the targets had been increased based on previous performance but the vacant posts and the restrictions due to the pandemic had meant the targets had not been attainable.

The Monitoring and Enforcement Team Manager gave more details on specific cases and also those that were now waiting for appeal decisions.

Members expressed concerns of the impact of missing targets particularly on the landscape and the reputation of the Authority and asked if it would be suitable for the Landscape KPI to include a target for Planning Enforcement.

The Head of Development Management confirmed that discussions were in early stages on merging the National Park Management Plans and Corporate Strategy KPIs and that the comments of members would be reported to the Strategic Leadership Team as part of these discussions.

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

Members thanked the Monitoring and Enforcement Team for the work they have continued to do during the recent difficult circumstances.

RESOLVED:

To note the report.

The meeting ended at 1.10 pm