
MINUTES

Meeting:	Planning Committee
Date:	Friday 11 June 2021 at 10.00 am
Venue:	The Palace Hotel, Buxton, SK17 6AG
Chair:	Mr R Helliwell
Present:	Mr K Smith, Cllr W Armitage, Cllr P Brady, Cllr M Chaplin, Cllr D Chapman, Cllr A Hart, Cllr A McCloy, Cllr Mrs K Potter and Cllr K Richardson
Apologies for absence:	Cllr A Gregory, Ms A Harling, Cllr I Huddleston, Miss L Slack and Cllr G D Wharmby.

47/21 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS DECLARATIONS OF INTEREST

Item 7

Mr Helliwell & Cllr D Chapman declared a personal interest as the applicant was known to them but not a close associate.

Item 10

Cllr McCloy declared a prejudicial interest as he knew the applicant and had visited the site about a year previous to the meeting. He would leave the room during discussion of this item.

Item 11

All Members declared a personal interest as Cllr Gill Heath, who was speaking on the item, was a Member of the Peak District National Park Authority

Item 13

All Members declared a personal interest as Members of the Peak District National Park Authority, the applicant.

Item 14

Cllr Hart declared an interest as a Staffordshire Moorlands District Councillor.

48/21 MINUTES OF PREVIOUS MEETINGS OF 16TH APRIL 2021 AND 30TH APRIL 2021

The minutes of the Planning Committee meetings held on 16 April 2021 and 30 April 2021 were approved as correct records.

49/21 URGENT BUSINESS

There was no urgent business.

50/21 PUBLIC PARTICIPATION

Eight members of the public had applied to make representations to the Committee.

51/21 FULL APPLICATION - REMOVAL OF EXISTING 24M AIRWAVE TOWER AND REPLACEMENT WITH A 35M TOWER WITH ATTACHED ANTENNAE AND DISHES FOR AIRWAVE, THE ESN (EAS) AND SRN NETWORKS . AT GROUND LEVEL, ADDITIONAL CABINS/CABINETS WILL BE POSITIONED ON THE OLD AND NEW TOWER BASES, ALONG WITH A STANDBY GENERATOR. A SEPARATE VSAT DISH ENCLOSURE WILL BE ESTABLISHED 100M TO THE SOUTH WEST OF THE MAIN COMPOUND AT AIRWAVE TELECOMMUNICATIONS TOWER AT SNAKE PASS CLEARING, SNAKE ROAD, BAMFORD (NP/HPK/1020/0947, JK)

The Planning Officer introduced the item which had previously been to Planning Committee in December 2020 when Members resolved to grant permission subject to the prior receipt of a Planning Obligation to secure long term control of the surrounding trees. No agreement had been returned to the Authority. It was confirmed that adding a condition to control the trees would not be applicable as they were not in the control of the applicant. Due to detected Larch disease the felling of the majority of the trees could be carried out and therefore the recommendation was to refuse the application on landscape grounds despite the benefit the mast would provide to emergency services.

The following made representations to the committee under the Public Participation at Meetings scheme:

- Mr Peter Hickson, Director of Airwave Solutions, Applicant – statement read out by Democratic & Legal Support Team Officer.

Members expressed concerns regarding refusing the item because of the need to upgrade the communications system for emergency services in the area and asked if there was information available on the percentage of Larch Trees in the surrounding woodland to help understand the impact felling Larch would have on the landscape.

The Planning Office confirmed that this information was not available and would require another report from the Forestry Commission as owners of the woodland.

Members requested clarification of the single line of trees the applicant had agreed to plant around the perimeter fence of the site and the blue line indicated on the site plan. The Planning Officer confirmed that Forestry England did not think that the single line of planting would have much chance of surviving due to the overhead dense canopy restricting the growth of the trees. The blue line indicated the five metre radius of the fence line where planting could immediately be undertaken by the applicants in the event of a clear felling exercise, they would then take approximately 35 years to grow to a height that would adequately screen the site.

A proposal to approve the application contrary to Officer recommendation was moved.

Members asked if it would be appropriate to defer the item for further reports on the possibility of using another location, the likelihood of the trees being felled and if the mast could be lowered if trees were removed.

The proposal to approve the application contrary to the Officer recommendation was seconded.

The following conditions were proposed:

- Mast and all ground level equipment cabins and fencing to be painted in matt dark green
- Mast and equipment to be removed when no longer needed.

The motion to approve the application contrary to Officer recommendations and with the conditions stated above was voted on and carried.

RESOLVED

To APPROVE the application subject to the following conditions:

- 1. Mast and all ground level equipment cabins and fence to be painted in matt dark green**
- 2. Mast and equipment to be removed when no longer needed.**

52/21

FULL APPLICATION - TELECOM EQUIPMENT INSTALLATION, 30M MAST AND ANCILLARY FEATURES ON LAND ADJACENT TO SNAKE PASS, SNAKE ROAD, SHEFFIELD (NP/HPK/0820/0764, JK)

The Planning Officer introduced the report relating to the installation of a mast for emergency service use only. The screening of the trees was an important part of the consideration of the application but the Forest Plan showed trees north and south of the site were scheduled to be felled prior to 2026 as part of a clearing programme.

The following spoke under the Public Participation at Meetings Scheme:

- Ms Vicky Parsons, Home Office, Applicant

The Planning Officer confirmed that a number of masts were required to provide adequate coverage for emergency vehicles along the A57 Snake Pass road. This application was for one as part of that network.

Members asked why an official landscape impact assessment had not been carried out. The Planning Officer confirmed that the information relating to the programme of felling trees had not been received until late in the process therefore there was not enough time to request an assessment based on the felling information.

Members noted that the owners of the development could have purchased a larger area of land to include trees needed for screening to enable the protection of the landscape.

A motion to refuse the application in accordance with the Officer recommendation was moved.

The Planning Officer confirmed that the topography of the area would likely require the height of the mast to remain even if the trees were removed.

The motion to refuse the application in accordance with the Officer recommendation was seconded.

The Planning Officer confirmed that this was not the same as the previous application on the agenda as this was a new site and the previous application had been for a replacement mast on an existing site.

The motion to refuse the application in accordance with the Officer recommendation was voted on and carried.

RESOVLED:

That the application be REFUSED for the following reason;

- 1. The ability of this site to successfully accommodate the proposed mast without harming the valued characteristics of the National Park landscape relies wholly upon the continued screening effect provided by the surrounding trees which are outside of the applicant's ownership and control. The majority of these trees are scheduled to be clear felled in the very near future as a result of being both a forestry crop and potentially as a result of disease affecting the larch. In the absence of a suitable mechanism to secure control over the long term retention and suitable management/planned replacement of the immediate surrounding tree cover, and to mitigate the potential loss of any larch to disease, the proposed mast would become an isolated and intrusive feature harming the special quality of the landscape and is therefore contrary to policies GSP1, GSP3 L1, DMU4C, DMC3, and the NPPF.**
- 2. Furthermore in the absence of secure mechanism to control land outside the application site area necessary for the provision and maintenance of required access visibility sight lines the proposed access would pose a danger to highway users contrary to policy DMT3.**

The meeting adjourned for a short break at 11.15 am and resumed at 11.25 am

53/21

PROPOSED AGRICULTURAL BUILDING TO HOUSE AND FEED LIVESTOCK AND STORE FODDER AT SOUTH VIEW FARM, WASHHOUSE BOTTOM, LITTLE HUCKLOW

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

The Planning Officer introduced the report and asked members to note an amendment to the report which referred to the location of the site as Little Hayfield in paragraph 9, 53 and 54 rather than Little Hucklow which was the correct location. There was also an amendment to paragraph 15 of the report which stated that a previous application for an agricultural building on the site had been refused when it had been approved.

The Planning Officer confirmed that the applicant had lowered the building since the initial submission but that no landscape scheme had been received from the agent. Although very little detail had been received with the application the main cause for concern was the impact of the building on the open countryside and the Conservation

Area nearby. Officers had identified an alternative site on the other side of the road which would be much less visible and more easily screened but the applicant had requested to proceed with the application put before Members.

The following made representations to the committee under the Public Participation at Meetings scheme:

- Jo Harrison – Agent – statement read out by Democratic & Legal Support Team Officer.

The recommendation to refuse the application was moved and seconded, voted on and carried.

RESOLVED:

The application was REFUSED for the following reasons:

- 1. The siting of the proposed building will pose substantial harm to the open landscape character and the wider conservation area setting which is contrary to policies L1 and DMC5.**
- 2. Insufficient information has been submitted regarding the established mature tree situated north of the agricultural buildings. This information is required by policy DMC13 to assess the potential for harm and extent of tree protection required.**

54/21

FULL APPLICATION - ERECTION OF LOCAL NEEDS DWELLING LAND NEAR SLADE COTTAGE, MONYASH ROAD, OVER HADDON (NP/DDD/0321/0257, MN)

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

The Planning Officer introduced the report outlining the main issues regarding the location outside the boundary of the village and the policy issue and confirmed that the design conformed to local needs guidance.

The applicant had not gone through the process to confirm he was eligible for local needs housing although he lived locally with his parents but points 1 and 2 of the report were sufficient to refuse the application even if housing need had been identified.

The Officer clarified that Home Options was a service provided by Derbyshire Dales District Council which assessed applicants suitability for local needs housing and the type of housing they would be suitable for, e.g. number of bedrooms. The Authority used this expertise when making decisions on affordable homes eligibility. Using Home Options was not obligatory but applicants still needed to demonstrate that they were eligible for affordable housing when applying to build this type of home.

Members noted that the Parish Council supported the application but questioned why Officers had not requested a sustainability report on the building or pursued information on eligibility. The Officer confirmed that it was felt that refusal on the grounds of location of the site were sufficient to refuse the application. The Officer also confirmed that the application was not for a dwelling for a farm worker and would not be tied to the farm but that a new application for a tied, farm worker home would be considered.

The Head of Planning recommended that the application be refused on this occasion and that Officers work with the applicant on a new application for a farm workers home

including sustainability report in line with policy CC1 and evidence of entitlement to affordable housing.

A proposal to defer the application was moved and seconded.

Officers confirmed that a new application would be needed rather than defer the current application as the new application would be materially different. The current application would need to be withdrawn and the applicant would need to complete an agricultural appraisal to show the financial and functional tests set out in policy can be met.

The motion to defer the application was voted on and carried.

RESOLVED:

That consideration of the application be DEFERRED for further discussion between the Officers and applicant.

55/21

FULL APPLICATION - ERECTION OF LOCAL NEEDS DWELLING AT LAND AT CHAPEL FARM, HEATHCOTE - (NP/DDD/DDD/0121/0083, MN)

The report was introduced by the Planning Officer who confirmed that revised plans for a two bedroom property and information relating to suitability for affordable housing had been received the day before the committee meeting. Neither late submission changed the reason for refusal which was based on the suitability of Heathcote for new housing as it had not been identified as a main settlement. As the applicant did qualify for affordable housing, Hartington would be a more suitable location.

The following spoke under the Public Participation at Meetings Scheme, the speakers shared the allotted three minutes:

- Mr Joe Oldfield – Agent
- Mr Jack Fletcher – Applicant

The Planning Officer confirmed that the amended plans received the day before the Committee meeting were not available for Members to view due to timing. But the overriding issue was the location which still the main issue for refusal.

Members queried if an exception could be made to approve the application in a small village as the site was suitable for development and also asked if the development was for agricultural need.

A proposal to approve the application contrary to Officer recommendation was moved and seconded.

The Head of Planning confirmed Policy DS1 is not arbitrary and allows the assessment of what is a sustainable settlement by virtue of its capacity to accommodate development without harming the valued character of the National Park and by having a range of services which support the community and reduce the need to travel. Members would need to consider the impact of development in a farming hamlet upon this aspect of development plan using the referral mechanism set out in paragraph 1.48 of Standing Orders. This would allow Members to consider any strong reasons to make an exception to strategic Policy DS1.

It was noted that Members were minded to approve the application but with a report back to a subsequent Committee with the revised plans and information on implications for Policy DS1.

The Chair of the Committee confirmed with the Members who had moved and seconded approval of the application that they were happy with the revised recommendation and this was confirmed.

The motion for approval as a departure from policies was moved and seconded. It was noted that in accordance with Standing Order 1.48 that if the motion for approval was carried a further report would be made to a future Committee meeting. The report would include more information relating to the revised plans and the information regarding suitability for affordable housing in a settlement not identified in the development plan.

RESOLVED:

That Members are minded to recommend approval of the application as an exception to Policy DS1 to a future meeting of the Planning Committee however in accordance with Standing Order 1.48 final determination of the application is DEFERRED pending a further report being prepared by Officers.

The Meeting adjourned for lunch at 13.00 and returned at 13.35

56/21

FULL APPLICATION - RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM AGRICULTURAL LAND TO A CARAVAN SITE (10 PITCHES) AT GREENCROFT FARM, WEADDOV LANE, MIDDLETON-BY-YOULGRAVE (NP/DDD/0820/0753, TS)

Cllr Andrew McCloy left the meeting due to a prejudicial interest relating to this application.

Cllr Andrew Hart did not return to the meeting during discussion of this item.

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

The Planning Officer introduced the report for retrospective approval for a caravan site. Concerns regarding the use of high ground for the siting of caravans was emphasised and the subsequent impact on the landscape and Conservation Area.

Members requested clarification on the possibility of a licence being issued for the siting of five caravans on the site which would not require planning permission. Officers confirmed this would be a possibility but that normal process would be for the issuing authority to consult with the National Park Authority before issuing the licence which would enable objections to be made.

A motion to refuse the application as set out in the Officers report was moved, seconded, put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

1. The proposed development 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 Planning Policy Framework.
2. The proposal would result in the loss of an area of open space that is identified as being of importance to the character and significance of the Conservation Area. The proposal would cause harm to the character and significance of the Conservation Area, contrary to policies L3, DMC3, DMC8 and the guidance within section 16 of the NPPF

Cllr McCloy and Cllr Hart re-joined the meeting following consideration of this item at 1.45pm

57/21

LISTED BUILDING CONSENT - REMOVAL OF AND UPGRADE OF ALL CCTV CAMERAS ALONG WITH ALL REDUNDANT POWER SUPPLIES AND CABLING, DIGITAL CAMERAS ARE POWERED THROUGH CAT 5. TO MAKE GOOD ALL FIXING HOLES, INCLUDING HISTORIC PART OF THE BUILDING WITH AN APPROPRIATE MORTAR AT ALDERN HOUSE, BASLOW ROAD, BAKEWELL (NP/DDD/0421/0428, TS)

The application was brought forward on the agenda to allow time for speakers on item 11 to arrive.

The Planning Officer introduced the report which was brought to Committee on behalf of the Peak District National Park Authority.

A motion to approve the application as recommended by Officers was moved.

Members sought clarification on the colour of the new camera, the Planning Officer confirmed that the colour would be similar to the cameras to be removed.

The motion to approve the application as recommended by Officers was seconded, put to the vote and carried.

RESOLVED:

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

1. Commence development within 3 years.
2. Carry out in accordance with specified amended plans and supporting information.
3. Lime based mortar to be used with a specification to be approved in writing.

58/21 LEEKFRITH NEIGHBOURHOOD PLAN (AM)

The application was brought forward on the agenda to allow time for speakers on item 11 to arrive.

The Head of Planning introduced the report. He confirmed that the area covered by the Neighbourhood Plan crossed the boundary into Staffordshire Moorlands District Council area and that the two authorities had worked together, along with the residents, on the plan.

A motion to approve the proposal as recommended by Officers was moved and seconded

Members asked if there could be a consultation stage with the Committee before it goes to a referendum. Also clarification on whether the Neighbourhood Plan override the Authority's Policies.

The Head of Planning confirmed that the Neighbourhood Plan cannot undermine the strategic policies of the National Parks Purposes. But where they are consistent with local plan policies they can be appreciably different. Officers work hard with local communities to achieve this level of compatibility.

A question regarding the fit of a possible housing development at the former mill site, as mentioned in the plan, with policy regarding no development in smaller villages. The Head of Planning referred members to Policy DS1, paragraph 8.24 which gives advice on exceptional circumstances such as a previous industrial site.

The motion to approve the proposal as recommended by Officers was voted on and carried.

RESOLVED:

That the Authority designates Leekfrith Neighbourhood Plan (as attached at Appendix 1 to the report) as part of the statutory development plan for Leekfrith Neighbourhood area.

59/21 FULL APPLICATION - ERECTION OF REPLACEMENT MIXED USE OUTBUILDING AT LANE HOUSE FARM, WETTON ROAD, BUTTERTON (NP/SM/1120/1072, P1384/SC)

The Planning Officer introduced the report outlining the reasons for refusal.

The following made representations to the Committee under the Public Participation at meetings scheme:

- Cllr Gill Heath, Supporter, present
- Liz Verwey, Applicant - statement read out by an Officer in the Democratic and Legal Support Team

The Planning Officer confirmed that discussions had taken place with the applicant regarding a smaller building which would be more acceptable.

Members were minded to approve the application due to the improvement to the site by replacing the current buildings.

A proposal to approve the application contrary to the Officer recommendation was moved and seconded.

Officers confirmed that the following conditions would be required for approval of the plans:

- Landscape plan
- Confirmation of ground levels
- Plan for outside lighting

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

RESOLVED:

To APPROVE the application with the following conditions:

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans, drawing numbers 3 (Proposed Block Plan), 5 (Proposed Plans & Section), 5 (Proposed Elevations) subject to the following conditions or modifications:**
- 3. Prior to the construction of the floor and walling of the new building, full details showing the finished floor levels of the building in relation to the adjacent ground levels shall be submitted to and approved in writing by the National Park Authority. Once approved the scheme shall be carried out to the approved specification.**
- 4. No external lighting shall be installed on the building hereby approved unless it has first been approved in writing by the National Park Authority.**

60/21 FULL APPLICATION - CREATION OF PARKING AREA FOR DWELLING FROM AGRICULTURAL FIELD AT HILLCREST, STANEDGE ROAD, BAKEWELL (NP/DDD/1220/1144, ALN)

The Chair and Vice Chair of Committee had driven past the site the previous day.

The Planning Officer introduced the report and confirmed that the site was outside the Bakewell Development Boundary and that part of the site was within the Conservation Area but not all. The development had already taken place and the application was therefore retrospective.

The following spoke under the Public Participation at Meetings scheme:

- Mrs Donnelly, Applicant

Members raised concerns regarding the reasons for refusal including why the roadside boundary was classed as a heritage asset of historic significance. The ability to remove cars from the road offered a public benefit especially in an area so close to a school.

Clarification was offered regarding the wall which is associated with the field system is classed of historical significance because of the definition of boundary for the medieval field system of the area rather than their condition. Domestication would be intrusive because of the raised parking area.

A motion to refuse the application as recommended by the Officer was moved.

Members noted that Bakewell Town Council had objected to the application and preferred to keep development inside the development boundary.

The motion to refuse the application as recommended by the Officer was seconded, put to the vote and carried.

RESOLVED

To REFUSE the application for the following reasons:

- 1. The site is outside of the Bakewell Development Boundary and the proposed parking and manoeuvring area would domesticate and erode the character of the Bakewell Conservation Area and detract from open views to the southwest from Stanedge Rd. The loss of the historic narrow opening in the roadside boundary wall would cause harm to the wall as a heritage asset of historic significance contrary to Core Strategy policy L3 and Development Management policies DMC5, DMC8 and DMT8 and DMB1. This harm would not be outweighed by the public benefits of the scheme contrary to paras 193-196 of the National Planning Policy Framework.**
- 2. It has not been demonstrated that the development would be served by a safe and suitable access contrary to Development Management Plan policy DMT3.**

61/21 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

The Head of Planning introduced the report and provided background on some of the items that had been allowed.

RESOLVED:

To note the report.

The meeting ended at 2.45 pm