
MINUTES

Meeting:	Planning Committee
Date:	Friday 6 August 2021 at 10.00 am
Venue:	Palace Hotel, Palace Road, Buxton, SK17 6AG
Chair:	Mr R Helliwell
Present:	Mr K Smith, Cllr W Armitage, Cllr P Brady, Cllr D Chapman, Cllr A Hart, Cllr A McCloy, Cllr Mrs K Potter. Cllr S. Saeed and Mrs C Waller attended to observe only and not speak or vote.
Apologies for absence:	Ms A Harling, Cllr I Huddlestone, Cllr D Murphy, Cllr K Richardson and Cllr J Wharmby.

71/21 **ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS DECLARATIONS OF INTEREST**

Mrs Waller and Cllr Saeed attended to observe the meeting and did not take part in any discussion or vote on any item. Mrs Waller advised that she would have to leave the meeting at lunch time.

Item 7

Members had received an email regarding this item on the 30th July 2021.

Cllr Brady declared that he had received, and responded to an email from the applicant following his previous application.

Item 8

Mr Helliwell declared that he was a member of Hope Show, but had not been involved in the management of the show ground, and approached the matter with an open mind.

It was noted that all Members knew the Applicant, Ms Virginia Priestley, who is a Member of the Authority

Cllr Chapman declared a prejudicial interest as a past president of Hope Show and confirmed that he would leave the meeting for the duration of this item.

Item 10

It was noted that the Authority was the owner of the application site, Brunts Barn.

Mr Helliwell declared that he was a resident of the parish 25 years ago and that some of the residents that have made representations on this application are known to him but confirmed he came to this meeting with an open mind.

Item 12

It was noted that the Authority was the owner of the site at Brosterfield.

Cllr Mrs Potter declared that she had previously been involved in Member decisions on the acquisition and development of the site but came to this meeting with an open mind.

72/21 MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting of the Planning Committee held on the 25 June 2021 were agreed as a correct record.

73/21 URGENT BUSINESS

There was no urgent business.

74/21 PUBLIC PARTICIPATION

Four members of the public had given notice to address or make representations to the committee.

**75/21 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017:
CONSTRUCTION OF A PERMANENT ACCESS TRACK TO FACILITATE ESSENTIAL
SAFETY WORKS, ONGOING INSPECTION, MAINTENANCE AND EMERGENCY
ACCESS TO SWELLANDS AND BLACK MOSS RESERVOIRS (NP/O/0221/0110 BJT)**

The report was introduced by the Head of Planning, who explained that the issue to be considered was whether Members agreed that this was an appropriate assessment upon which to base their conclusions for Item 6.

The Natural Environment and Rural Economy Team Manager confirmed that the impact on habitat outlined in the report was accepted.

It was noted that there had been no comments from the Environment Agency.

A motion to adopt the report in accordance with Officer recommendation was proposed and seconded and a vote was taken and carried.

RESOLVED:

That the report be adopted as the Authority's assessment of likely significant effects on internationally important protected habitats and species under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) in relation to the construction of a permanent access track to facilitate essential safety works, ongoing inspection, maintenance, and emergency access to Swellands and Black Moss reservoirs.

**76/21 FULL APPLICATION - CONSTRUCTION OF A PERMANENT ACCESS TRACK TO
FACILITATE ESSENTIAL SAFETY WORKS, ONGOING INSPECTION,
MAINTENANCE AND EMERGENCY ACCESS TO SWELLANDS AND BLACK MOSS
RESERVOIRS (NP/O/0221/0110, BJT)**

The Chair and Vice Chair had visited the site the previous day.

The Head of Planning introduced the report setting out the reasons for approval as outlined in the report.

The Head of Planning confirmed that the Applicant felt it necessary to install a permanent track to deal with both routine maintenance and any urgent situations following the incident at Toddbrook reservoir. The Authority was giving great weight to the public interest aspect of the application.

The following spoke under the Public Participation at meetings scheme:

- Tania Snelgrove, Senior Project Manager, Canal and River Trust, Applicant.

Ms Snelgrove stated that this was a high risk reservoir owing to potential risk to life and as such the Trust strongly considered that there were imperative reasons in the overriding public interest to install a permanent track to enable ongoing monitoring, maintenance, and essential safety works, repair and emergency access.

Ms Snelgrove acknowledged that that alternative measures had been seriously considered. This proposal minimised the effect on blanket bog but that works must go ahead during the summer.

The Natural Environment and Rural Economy Team Manager stated that there would be hydrological impact on the surrounding area but minimised to a certain degree as parts of the track used an existing conduit so that there is an existing effect but there would be additional indirect effect. This is why the compensatory measures proposed exceeded the loss of habitat.

Ecological surveys undertaken to consider potential impacts were queried as to their extent, not just in terms of depth but also distance, as this would be relevant for considering species such as short eared owl.

Concern was also expressed about the disturbance during construction works potentially within the breeding season to moorland species. Operational use of the proposed track would have little impact on birds, however the construction would have a greater impact especially during the breeding season. The conclusions of the HRA were predicated upon work being done outside the breeding season – if work took place within the breeding season he was of the opinion that the conclusions would be different.

Ms Snelgrove provided the following further explanatory information in response to questions from the Chair:

- That the Canal and River Trust have a reciprocal agreement with Yorkshire Water under the Water Act 2003 for use of the water in this reservoir and elsewhere.
 - That a permanent track was necessary to access the site which would historically have been accessed by canal, and by tractors and trailers and tracked tractors which was hard going, they became bogged down and damaged the which damage the peat landscape, and more recently on foot, carrying all the materials, which has made things very difficult indeed
 - The required amount of safety work has been very difficult to achieve. This has led to a position under s10 of the Reservoirs Act 1985 whereby significant safety works are now mandated – firstly the provision of permanent access for

maintenance, including works on the spillway, and for emergency access for example getting plant and materials to repair a breach in a speedy way

- Very large plant and equipment cannot be moved by helicopter and use of helicopters alone would be insufficient in the case of a rapid release of water

The following motion was proposed:

That, notwithstanding significant issues around public safety, this application be REFUSED for the following reasons:

1. The public safety issue does not create an Imperative Reason of Over-riding Public Interest justifying a permanent track through the Natural Zone.
2. Alternative solutions have not been explored thoroughly enough given what is understood to be required (in terms of building work and regular maintenance) such that the requirement to demonstrate that there are no alternative solutions has not been fully made out to the satisfaction of Members, in particular by use of a temporary track.
3. Insufficient satisfaction that the proposals would result in acceptable impacts on this peatland habitat and in particular on nesting birds.

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

RESOLVED:

To REFUSE the application for the following reasons:

1. **The public safety issue does not create an Imperative Reason of Over-riding Public Interest justifying a permanent track through the Natural Zone;**
2. **Alternative solutions have not been explored thoroughly enough given what is understood to be required (in terms of building work and regular maintenance) such that the requirement to demonstrate that there are no alternative solutions has not been fully made out to the satisfaction of members, in particular by use of a temporary track; and**
3. **Insufficient satisfaction that the proposals would result in acceptable impacts on this peatland habitat and in particular on nesting birds.**

The meeting adjourned for a short break at 11.48am and reconvened at 12 noon.

77/21

OUTLINE APPLICATION - PROPOSED ERECTION OF TWO LOCAL NEEDS SELF BUILD AFFORDABLE HOMES AT DRIVEWAY BETWEEN GREYSTONES & JESMOND, TIDESWELL (NP/DDD/0421/0433, AM)

The Planning Officer introduced the report outlining the reasons for refusal as set out in the report.

The following addressed the Committee under the Public Participation at Meetings Scheme:

- Helen Isaac, Supporter - via video presentation
- James Isaac, Applicant.

The Planning Officer confirmed that although the application had been submitted as an outline application all of the necessary details had been provided, so if the application

was approved, no further details would be needed other than those required by condition.

Members discussed the tension between providing local affordable housing and enabling applicants to have homes large enough for their future needs, and the Authority's current policy in this respect, which would be reviewed as part of the ongoing routine review of the Authority's Local Plan.

A suggestion was made to set up a working group to allow this policy to be looked at in detail, in accordance with standing orders. It was considered that this could work alongside the Local Plan Review Steering Group to review the policy in addition to deciding future policy.

Discussion also took place regarding improvements to the design and climate change measures, compared to the previous scheme, and regarding the proposed site location which was on high land, encroaching into fields, and on the edge of the settlement.

A motion to approve the application contrary to officer recommendation was proposed and seconded because siting and design issues had now been reassessed by Members and considered acceptable and because of the need to house and encourage local young people to remain in the National Park.

The Planning Officer confirmed that if Members were minded to approve the application subject to a S106 agreement to secure local occupancy, conditions would be required as follows:

- 2 year limit for implementation
- Highways comments regarding access and visibility to be addressed
- Agreement of the definition of "approved plans"
- Regulation of materials to be used.
- A scheme of archaeological investigation
- A scheme of landscaping
- Garage to be retained for stated purpose
- Permitted development rights to be removed
- Proposed climate change mitigation measures to be implemented prior to occupation
- Details of solar panels
- Rainwater goods and other minor design details
- Final details of conditions to be delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee.

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

The motion to approve the application subject to a S106 legal agreement and the conditions as stated by the Planning Officer was voted on and carried.

RESOLVED:

To APPROVE the application contrary to Officer recommendation subject to the prior completion of a Section 106 legal agreement to secure local occupancy and subject to the following conditions:

- **2 year limit for implementation**
- **Highways comments regarding access and visibility to be addressed**

- **Agreement of the definition of “approved plans”**
- **Regulation of materials to be used.**
- **A scheme of archaeological investigation**
- **A scheme of landscaping**
- **Garage to be retained for stated purpose**
- **Permitted development rights to be removed**
- **Proposed climate change mitigation measures to be implemented prior to occupation**
- **Details of solar panels**
- **Rainwater goods and other minor design details**
- **Final details of conditions to be delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee.**

The meeting adjourned for lunch at 1.00pm and reconvened at 1.25pm

78/21 FULL APPLICATION - PROPOSED MANEGE, PEAR TREE COTTAGE, MAIN STREET, CALVER (NP/DDD/0321/0241, BJT)

This item was moved forward on the agenda as the speaker had arrived.

The Chair and Vice Chair had visited the site the previous day.

The report was presented by the Planning Officer who outlined the reasons for approval as set out in the report.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Clayton, Applicant

The Planning Officer advised of the following amendments to the recommended conditions:

- Condition 4 regarding landscaping should include 3 replacement trees and an extension of the hedge, to better screen the site
- Condition 5 should be amended to remove “and to the extension hereby approved”
- Additional condition that any excess spoil must be removed from site by a licensed waste operator.
- That condition 3 could be amended to ensure the specification agreed remains in place in the future.
- That a condition could be added to ensure the site of the temporary track is returned to grazing land.

A motion to approve the application in accordance with Officer recommendation was proposed and seconded and a vote was taken and carried.

RESOLVED

To APPROVE the application, subject to the following conditions:

- 1) **Statutory time limit for implementation**
- 2) **Development in accordance with the submitted plans and specifications, subject to the following conditions:**
- 3) **Submit sample/specifications of material to be used for surfacing upon agreement of which, the material is to remain in place permanently.**
- 4) **Carry out landscaping scheme within first planting season following commencement of the development to include 3 replacement trees and an extension of the hedge, to better screen the site**
- 5) **There shall be no new floodlighting or other external lighting whatsoever to the existing manege.**
- 6) **Use of the manege hereby permitted shall remain ancillary to Pear Tree Cottage for private use only by the occupants of Pear Tree Cottage.**
- 7) **At the time of erection the new fencing (and the existing fencing) shall be painted or stained dark brown.**
- 8) **Ecology conditions**
- 9) **Any excess spoil must be removed from site by a licensed waste operator.**
- 10) **The site of the temporary track must be returned to grazing land upon completion of the build.**

79/21

FULL APPLICATION - 1) RENOVATION AND ALTERATION OF EXISTING YARD BARN (ALSO KNOWN AS BUTTRESS BARN) 2) DEMOLITION OF FIELD BARN (ALSO KNOWN AS SHOWGROUND BARN) 3) ERECTION OF PORTAL FRAMED BUILDING FOR STORAGE AT MARSH FARM, CASTLETON ROAD, HOPE. (NP/HPK/0919/1018, SPW)

Cllr Chapman had declared a prejudicial interest as a former President of Hope Show, so left the meeting room and did not take part in any discussion.

The report was presented by the Planning Officer who outlined the reasons for Approval as set out in the report.

A motion to approve the application in accordance with the Officer recommendation was proposed and seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1) **Statutory time limit for implementation**
- 2) **Development in accordance with the amended plans and specifications, subject to the following conditions:**
- 3) **Use of new building to be restricted to purposes ancillary to Hope Show**

4) Use of Yard/Buttress Barn to be restricted to storage or light industrial and office uses within Class E.

5) Detailed design conditions.

6) Carry out landscaping scheme within first planting season following erection of new building.

7) Archaeological conditions:

a) No development shall take place until a Written Scheme of Investigation for a scheme of a programme of building recording has been submitted to and approved by the National Park Authority in writing. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording;

2. The programme for post investigation assessment;

3. Provision to be made for analysis of the site investigation and recording;

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;

5. Provision to be made for archive deposition of the analysis and records of the site investigation;

6. Nomination of a competent person or persons/organization undertake the works set out within the Written Scheme of Investigation.

b) No development shall take place until all on-site elements of the approved scheme have been completed in accordance with the Written Scheme of Investigation approved under condition (a), and to the written satisfaction of the local planning authority.

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

80/21 FULL APPLICATION - EXTENSION AND ALTERATIONS TO DWELLING, EXTENDING INTO OUTBUILDING AND ERECTION OF DETACHED GARAGE BLOCK AT HARRIERS COTTAGE, BIGGIN (NP/DDD/0421/0408, MN)

Cllr Chapman re-joined the meeting.

The report was introduced by the Planning Officer who outlined the reasons for approval as set out in the report.

A motion to approve the application in accordance with the Officer recommendation was moved and seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1) 3 year time limit
- 2) In accordance with amended plans
- 3) Design details
- 4) Garage materials to match the existing
- 5) Sample panel for garage
- 6) Insulation measures set out on the approved plans to be incorporated

81/21

FULL APPLICATION - FULL REFURBISHMENT AND REMODELLING OF THE BRUNTS BARN CENTRE, INCLUSIVE OF INSTALLATION OF ADDITIONAL WINDOW FOR AN ACCESSIBLE BEDROOM; INSTALLATION OF AIR SOURCE HEAT PUMP AND RECONFIGURING THE ROOF LIGHTS. THIS APPLICATION IS ESSENTIAL TO IMPROVE ACCESSIBILITY AND SAFEGUARDING IN THE CENTRE AND OPTIMISE USE OF THE EXISTING SPACE AT BRUNTS BARN CENTRE, UNNAMED ROAD FROM STATION ROAD WESTWARDS TO TRACK LEADING TO A6187, UPPER PADLEY, GRINDLEFORD (NP/DDD/1220/1199 SPW)

The report was introduced by the Planning Officer who outlined the reasons for approval as set out in the report. He also confirmed that there would be no increased use of the premises and so no planning requirement for a financial contribution to the maintenance of the unmade track.

The Head of Engagement confirmed that the windows to the workshop would not be replaced at present.

A motion to approve the application in accordance with the Officer recommendation was proposed and seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

1. Standard time limit
2. Development in complete accordance with the amended plans which were received by the Authority on the 19 March 2021 and amended planning statement received on the 19 March 2021 including plans 'P6187_2020_R_05', 'P6187_2020_R_02 RevA', 'P6187_2020_R_02.1 REV A', 'P6187_2020_R_04 REV A', '21001/SK 02', 'P6187_2020_R_08', 'P6187_2020_R_07', 'P6187_2020_R_10', 'P6187_2020_R_09',

P6187_2020R_11 REV A', 'P6187_2020_R_06 REV A', 'P6187_2020_R_12' and specifications subject to the following conditions or modifications.

3. Prior to installing any new external windows full details of all new external windows and doors, including the inner glazing to the ventilation slots ('dovecote'), shall be submitted to the Authority for approval in writing. Once approved the development shall not be carried out other than in complete accordance with the approved details.

4. Prior to installing any external lighting full details of all external lighting, including exact position for each light, and details of the units to be installed, including finish, shall be submitted to the Authority for approval in writing. Once approved the development shall not be carried out other than in complete accordance with the approved details.

5. a) No development shall take place until a Written Scheme of Investigation for historic building recording and archaeological monitoring has been submitted to and approved by the National Park Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the National Park Authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording;

2. The programme for post investigation assessment;

3. Provision to be made for analysis of the site investigation and recording;

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;

5. Provision to be made for archive deposition of the analysis and records of the site investigation;

6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

6. The proposed new bin store shall be omitted from the scheme.

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- 7. Rooflights shall be conservation type and fitted flush with the existing roofslope.**
 - 8. As shown on the approved plans the new rooflights hereby approved shall not be installed unless all existing rooflights have been removed in accordance with the approved plans.**
 - 9. External works shall be timed to avoid the period May –September.**
 - 10. The development shall not be carried out other than in complete accordance with the mitigation measures detailed at section 5.1.2 and 5.1.3 of the report ('Bat and Bird Presence / Absence Survey Report by Evolution Ecology Ltd May 2021 version 2), including pre-construction tool box talks and supervision of any works by a licensed ecologist in vicinity of roosts, to include any placement of scaffolding.**
 - 11. There shall be no external lighting of the south western gable and north western elevation. Prior to installing any other external lighting full details shall be submitted to the Authority for approval in writing. This shall need to reduce the impacts on wildlife as outlines appendix C, pg37 of the submitted report ('Bat and Bird Presence / Absence Survey Report by Evolution Ecology Ltd May 2021 version 2).**
 - 12. Prior to carrying out any repointing associated with the development a method statement shall be agreed. This shall identify areas of the building where supervision is needed by a bat ecologist as well as identifying suitable gaps that can be retained for potential future use by bats. Once agreed the development shall not be carried out other than in complete accordance with the agreed details.**
 - 13. The bat box, 1FQ Schwegler Bat Roost shall be installed as shown at section 5.1.5 of the submitted bat report ('Bat and Bird Presence / Absence Survey Report by Evolution Ecology Ltd May 2021 version 2), and shall be permanently so maintained.**
 - 14. Prior to commencing any works during the breeding bird period (Mid Feb-August inclusive) the affected areas shall be checked for active bird nesting activity by a suitably experienced ecologist. Where active bird nests are present, works in that area shall be postponed until birds fledge. Checks shall be undertaken immediately prior to works.**
 - 15. Prior to the development commencing, specific measures shall be agreed with the Authority to provide future nesting opportunities for birds. Once agreed the development shall not be carried out other than in complete accordance with the agreed details.**
 - 16. Grasslands that are part of a regular mowing regime shall continue to be mown and kept short during development. Building materials shall be stored on existing hard surfaces on pallets or similar structures which lifts materials from direct storage on the ground.**

17. Some rougher grassland/taller herb areas about the southern and south eastern margins of the property. Where works would be required that affect these areas (including access points) a precautionary method statement shall be submitted to the Authority for approval in writing in advance of such works to mitigate any impacts on slow worms. Once agreed the development shall not be carried out other than in complete accordance with the method statement.

Advisory footnote

Works should be timed to avoid the main breeding bird season (mid-February to August inclusive). Note: Swallows have nested in the workshop in the past and can have late broods that extend beyond the end of August.

82/21 BROSTERFIELD CAMPING AND CARAVAN SITE -DELEGATION TO HEAD OF PLANNING TO MAKE A DISCONTINUANCE ORDER UNDER SECTION 102 TOWN AND COUNTRY PLANNING ACT 1990 ("TCPA 1990")

The report was presented by the Assistant Solicitor who set out the request to delegate to the Head of Planning, authority to make a discontinuance order for Brosterfield caravan site.

A proposal to agree the recommendation was moved and seconded, put to the vote and carried.

RESOLVED:

That the Head of Planning in consultation with the Head of Finance and the Head of Law be authorised to make a discontinuance order for Brosterfield caravan site, Foolow.

83/21 MONITORING & ENFORCEMENT QUARTERLY REVIEW - JULY 2021 (A.1533/AJC)

Members considered a summary of the work carried out by the Monitoring and Enforcement Team over the previous quarter covering the period from April to June 2021.

The Head of Planning highlighted some specific cases and confirmed that the Enforcement notice for Thornbridge Hall had been withdrawn and reissued, due to the Authority finding extra parties with an interest in the land.

RESOLVED:

To note the report.

84/21 HEAD OF LAW REPORT - PLANNING APPEALS

The Committee considered the monthly report on planning appeals lodged, withdrawn and decided.

The Head of Planning advised that he would report back to Committee as to why a high number of appeals had been lodged in this period and that there was a likelihood that it had come about due to resource issues necessitating less early engagement with applicants.

RESOLVED:

To note the report.

The meeting ended at 2.44 pm