
MINUTES

Meeting:	Planning Committee
Date:	Friday 11 March 2022 at 10.00 am
Venue:	Aldern House, Baslow Road, Bakewell, DE45 1AE
Chair:	Mr R Helliwell
Present:	Mr K Smith, Cllr P Brady, Cllr A McCloy, Cllr Mrs K Potter and Cllr D Murphy
Apologies for absence:	Cllr W Armitage, Cllr D Chapman, Ms A Harling, Cllr A Hart, Cllr I Huddleston, Cllr K Richardson, Cllr S. Saeed and Cllr J Wharmby.

21/22 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS' DECLARATIONS OF INTEREST

Items 5 and 6.

All Members declared that they had received an email from the Canal and River Trust.

Cllr Mrs Potter declared that she was a Member of the RSPB.

22/22 MINUTES OF PREVIOUS MEETING OF 11TH FEBRUARY 2022

The minutes of the last meeting of the Planning Committee held on 11th February 2022 were approved as a correct record.

23/22 URGENT BUSINESS

There was no urgent business.

24/22 PUBLIC PARTICIPATION

Four members of the public were present to make representations to the Committee.

25/22 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 - THE CONSTRUCTION OF A PERMANENT ACCESS TRACK LEGALLY REQUIRED AS A MEASURE IN THE INTERESTS OF SAFETY UNDER THE RESERVOIRS ACT FOR ESSENTIAL SAFETY WORKS AND ONGOING INSPECTION, MAINTENANCE, AND EMERGENCY ACCESS TO SWELLANDS AND BLACK MOSS RESERVOIRS, OFF THE A62 HUDDERSFIELD ROAD, DIGGLE, SADDLEWORTH (NP/O/1221/1393, JK)

Item 5 was dealt with at the same time as Item 6 but the votes were taken separately. Please see full minute detail in minute 26/22 below.

RESOLVED

To adopt this report 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.

26/22

FULL APPLICATION - THE CONSTRUCTION OF A PERMANENT ACCESS TRACK LEGALLY REQUIRED AS A MEASURE IN THE INTERESTS OF SAFETY UNDER THE RESERVOIRS ACT FOR ESSENTIAL SAFETY WORKS AND ONGOING INSPECTION, MAINTENANCE, AND EMERGENCY ACCESS TO SWELLANDS AND BLACK MOSS RESERVOIRS, OFF THE A62 HUDDERSFIELD ROAD, DIGGLE, SADDLEWORTH (NP/O/1221/1393, JK)

Members had visited site the previous day.

The reports for Items 5 and 6 were introduced by the Head of Planning who outlined the reasons for adoption and approval as set out in the reports. He also advised that an application had subsequently been submitted for works to the dam at Swellands Reservoir which would be considered in due course.

The following spoke under the public participation at meetings scheme:

- Tania Snelgrove, Canal and River Trust – Applicant

Other employees of the Canal and River Trust attended to answer any technical questions from Members. They were able to confirm the following:

- Bog Mat is a lightweight track material which allows water to flow through it to the peat below, also when heavy machinery is driven over it, it enables the load to be spread.
- 8 passing places are necessary because the track will be long and undulating with poor lines of sight. They have been positioned to maximise visibility and to mitigate the tight bends. For safety reasons, it is necessary to avoid vehicles reversing for long distances.
- That two "lay down" areas for maintenance will be retained for future use, near Black Moss Reservoir.
- Measures will be taken to prevent misuse of the track, including padlocked gates, new signage both on site and on principal nearby routes, twice weekly inspections, and that the construction of the track being from large stone will make it uncomfortable to walk or ride on.
- That the closure of Brun Clough car park to allow the works, will be advertised in advance by the local authority, but that the Canal and River Trust were amenable to exploring whether other sites which they own could be used for temporary car parking during its closure.

Members particularly welcomed the proposed mitigation measures and felt that the concerns which led to the previous refusal had been addressed.

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

RESOLVED

- 1. That the Authority resolves to approve the application subject to prior notification of the Secretary of State and subject to the signing of a Section 106 Agreement to secure the proposed off site, off-setting and biodiversity net gain works.**
- 2. That the Secretary of State is notified of the resolution; and**
- 3. Subject to the agreement of the Secretary of State, the Head of Planning be authorised to issue a decision notice in the terms set out.**

And 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) A programme of phasing/timing of the construction works be agreed to avoid the bird nesting season in the designated SPA.

4) Agree sample/specifications of stone to be used for surfacing and geotextile matting.

5) Submit and agree details of any new gates and barriers.

6) Carry out habitat creation, pond creation, and tree-planting works in accordance with agreed timetable.

7) Gates to be kept locked other than when the track is in use; any signage to be agreed before installation.

8) Restoration scheme to be submitted and agreed in the event that any part of the track is removed.

9) Archaeological conditions:

a) No development shall take place other than in accordance with the approved archaeological Written Scheme of Investigation, produced by WYAS Archaeological Services, Version 6

b) Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.

The meeeting adjourned for a short break at 11.15 and reconvened at 11.25

27/22

FULL APPLICATION - ERECTION OF TIMBER SHED AT THE REAR OF THE PUBLIC HOUSE TO HOUSE A MICRO BREWERY FOR SMALL SCALE BREWING, AND STORE - THE GREYHOUND INN, WARSLOW - (NP/SM/1121/1172, MN)

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

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

Members queried why the applicants were being required to paint the window frames grey and were advised that this was to ensure that the door and window frames matched, and to reduce the visual prominence of the building.

A vote was taken and carried.

RESOLVED

To APPROVE the application subject to the following conditions:

- 1) 3 year time limit**
- 2) In accordance with submitted plans**
- 3) Microbrewery to remain ancillary to The Greyhound Inn**
- 4) Boarding and window and door frames to be painted grey within 6 months of the decision**

28/22

FULL APPLICATION - PROPOSED CHANGE OF USE OF PADDOCK TO PERMIT THE SITING OF A SHEPHERDS HUT FOR USE AS A HOLIDAY LET - TOWN END COTTAGE, MAIN STREET, SHELDON - (NP/DDD/1121/1235, SC)

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

The following spoke under the public participation at meetings scheme:

- Sir Richard Fitzherbert, Supporter
- Lindsey Jones. Applicant

Members noted that the application had received 43 letters of support. The supporting text of Core Strategy Policy RT3 was discussed, which states that static caravans, chalets and lodges may be acceptable in locations where they are not intrusive in the landscape. Members considered that this development was small scale and not intrusive.

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

Members requested clarification as to whether Policy DME7 regarding business expansion was applicable in this case.

The Head of Planning advised that when specific policies addressed an issue, in this case DMR1, the specific policy should be relied upon rather than more general policies, and that an approval would remain contrary to the Authority's policies relating to tourism, even if Members felt that it could be justified under the business development policies. Also whilst there was always scope for exceptions, in this case the more recent Development Management Policies had defined the circumstances in which those exceptions would apply.

Members noted that the location of the Shepherd's Hut was close to a steel framed agricultural building which helped it to fit into the surrounding location.

The motion to approve the application contrary to Officer recommendation and as an exception to policy DMR1, with final agreement of conditions delegated to the Head of Planning in consultation with Chair and Vice Chair of Planning was voted on and carried.

RESOLVED

To APPROVE the application with final agreement of conditions delegated to the Head of Planning in consultation with Chair and Vice Chair of Planning.

29/22 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

Members requested more detailed feedback about the appeal which had been submitted at Wincle.

RESOLVED

To note the report.