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## MINUTES

Meeting: **Planning Committee**

Date: Friday 13 May 2022 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell, DE45 1AE

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 V Priestley, Cllr D Murphy, Cllr K Richardson and Cllr S. Saeed

Apologies for absence: Ms A Harling, Cllr I Huddleston and Cllr J Wharmby.

### **43/22 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS' DECLARATIONS OF INTEREST**

Item 5 & 6

Cllr Potter expressed a personal interest as she was a Member of the RSPB.

Item 8

Cllr Potter expressed a personal interest as she had been a customer there.

Item 10

Cllr Chapman declared a personal interest as he was a friend of one of the speakers.

Mr Helliwell declared a personal and prejudicial interest so would leave the room when this item was being discussed.

Item 11

Most Members had received an email from the neighbour of the applicant.

Cllr McCloy declared that he had visited the residents of Parwich regarding the original application in 2019, but had expressed no views on the current application and had not predetermined the item.

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**44/22 MINUTES OF PREVIOUS MEETING OF 8TH APRIL 2022**

The minutes of the last meeting of the Planning Committee held on 8<sup>th</sup> April 2022 were approved as a correct record, subject to the following amendments:-

Minute 36/22

That the wording be amended to read “The Head of Planning introduced the report and reminded Members that the previous application had been refused on policy grounds at a previous Planning Committee in 2021, although Members at that time had been minded to approve the previous application it had been brought back to this Committee with minor amendments to the scheme”

Minute 36/22

Members questioned the wording of the resolution of the minute, and it was agreed that the words “and Policy L1” be removed.

Minute 37/22

That the word “Committee” be added to the resolution so it reads “To APPROVE the application contrary to the Officer recommendation with final agreement of conditions delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee was voted on and carried”.

Minute 39/22

That the number “12”. be added before the Condition text following condition number 11.

**45/22 URGENT BUSINESS**

There was no urgent business.

**46/22 PUBLIC PARTICIPATION**

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

**47/22 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 - ESSENTIAL SAFETY WORKS TO RESERVOIR DAM INCLUDING REMOVING THE AUXILIARY SPILLWAY, REPLACEMENT OF THE PRIMARY SPILLWAY AND WORKS TO EXISTING WAVE WALL, LEGALLY REQUIRED AS MEASURES IN THE INTEREST OF SAFETY UNDER THE RESERVOIRS ACT AT SWELLANDS RESERVOIR OFF THE A62 HUDDERSFIELD ROAD, DIGGLE, SADDLEWORTH (NP/K/0322/0346, JK)**

Item 5 was dealt with at the same time as Item 6 but the votes were taken separately. Please see full minute in detail in minute 48/22.

A motion to approve the recommendation, was moved and seconded, and a vote was taken and carried.

**RESOLVED:**

**1. That this report be adopted as the Authority’s assessment of likely significant effects on internationally important protected habitats and species under**

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**Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) in relation to the proposal for the carrying out of essential safety works to Swellands reservoir dam, including removing the auxiliary spillway, replacement of the primary spillway and works to existing wave wall.**

**48/22 FULL APPLICATION - ESSENTIAL SAFETY WORKS TO RESERVOIR DAM INCLUDING REMOVING THE AUXILIARY SPILLWAY, REPLACEMENT OF THE PRIMARY SPILLWAY AND WORKS TO EXISTING WAVE WALL, LEGALLY REQUIRED AS MEASURES IN THE INTEREST OF SAFETY UNDER THE RESERVOIRS ACT AT SWELLANDS RESERVOIR OFF THE A62 HUDDERSFIELD ROAD, DIGGLE, SADDLEWORTH (NP/K/0322/0346, JK)**

The reports for Item 5 and 6 were introduced by the Head of Planning who outlined the reasons for adoption and approval as set out in the reports.

The Head of Planning informed Members that since the report had been published, further comments had been received from the RSPB which were on the Authority's website.

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

The Head of Planning informed Members that the application formed part of the same package of measures that was approved in March 2022. For the purposes of the assessment of likely significant effect on the South Pennine Moors SAC, any adverse effects of the proposal are those arising from the combined proposal for the creation of a track under application NP/O/1221/1393 for which derogation had now been granted by the Secretary of State, on the basis that the necessary compensatory measures would be secured, so that there is unlikely to be an adverse effect on the integrity of the SAC. There was no need to refer the matter to the Secretary of State for final approval.

Additional Ecology Conditions were proposed by the Head of Planning in response to RSPB comments.

Furthermore, a Grampian-style condition was proposed to recognise the in-combination nature of impacts arising from the full package of measures and formalise the linkage to the off-site compensatory mitigations agreed through the approval of the track which will serve Black Moss and Swellands reservoirs.

Such a condition would have the effect that no works shall take place until the compensation scheme approved under application NP/O/1221/1393 had been completed. Input at the meeting from Tania Snelgrove, from the Canals and Rivers Trust suggested some flexibility should be incorporated to allow for aftercare works to be fully completed.

The following spoke under the public participation at meeting scheme:-

- Mr D Prisk – Canal & River Trust, Applicant

Members noted that 2 National Trails went right through the site and reminded the applicant that they needed to bear this in mind with other users on the trails. Members asked why the car park was being closed and whether alternative car parking could be found? Tania Snelgrove from the Canal & River Trust reported that the car park had to be closed to allow space for the construction compound, and that they were currently

looking at potential sites for alternative car parking. A possible site had been found, and they were having discussions with Kirklees Council as the land was in their ownership

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

**RESOLVED:**

**That the application be APPROVED 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 and agree samples of materials to be used for new walls, facings and surfacing.**
- 4) **Submit and agree details of replacement footbridge.**
- 5) **Carry out restoration works in accordance with agreed timetable.**
- 6) **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.**
  - 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.**
- 7) **Ecology conditions:**
  - a) **No development to take place until an Environmental Management Plan has been submitted and approved.**

**The Environmental Management Plan to provide details of the following:**

- **All mitigation measures to be taken.**
- **Details of the Ecological Watching Brief for works with potential to affect designated habitats and breeding birds.**
- **Ongoing surveys to further inform the effectiveness of the mitigation measures.**
- **Details of mitigation measures to reduce moderate adverse effect in respect of potential disturbance to/displacement of specific moorland breeding birds at the construction stage**
- b) **Development to be carried out in conformity with the approved scheme**

- 8) **No works shall take place until the compensation scheme required under a section 106 agreement made pursuant to application NP/O/1221/1393 have been approved and undertaken to an agreed plan and timeframe (but for the purposes of this condition this timeframe need not include defect rectification and aftercare).**

**49/22 FULL APPLICATION - ERECTION OF A PAIR OF SEMI-DETACHED AFFORDABLE LOCAL NEEDS DWELLINGS AT LAND OFF RECREATION ROAD, TIDESWELL (NP/DDD/0222/0190, AM) - ITEM DEFERRED**

This item was deferred.

**50/22 FULL APPLICATION - INSTALLATION OF SOLAR PANELS WITH 4 NO 44 PANEL ARRAYS AT LAND BEHIND TAGG LANE GRANGE, TAGG LANE, MONYASH (NP/DDD/0122/0035, SC)**

Members had visited the site the previous day.

The Planning Officer introduced the report and informed Members that alternative sites had been looked at previously, and although the scheme had been reduced from the previous application, it was felt that it should still be refused on the grounds that the proposal would have a visual impact on the landscape character of the area.

Cllr Richardson left the meeting at 10:57 and returned at 11:08.

The following spoke under the public participation at meeting scheme:-

- Mr L Boam – Applicant

Members noted that the Authority's Landscape Officer had raised no landscaping objections to the application.

The Members considered that the visual impact was negligible but asked for a condition regarding the panels being coated in a non-reflective coating to reduce the prominence.

The Planning Officer suggested additional appropriate conditions including the standard time limit, the development to be carried out in accordance with submitted plans and that a landscaping scheme be agreed and that the panels be removed when no longer used.

A motion to approve the application with conditions, contrary to the Officer recommendation was moved, seconded, and a vote was taken and carried.

**RESOLVED:**

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

- 1. Standard 3 year time limit.**
- 2. Carry out in accordance with submitted plans.**
- 3. Landscaping scheme to be agreed.**
- 4. The finish of the panels to be agreed.**
- 5. Panels to be removed when no longer used.**

**The meeting adjourned at 11:25 and reconvened at 11:35**

**Cllr Saeed left the meeting at 11:25**

**51/22 FULL APPLICATION - CHANGE OF USE OF LAND AND ERECTION OF BUILDING FOR CLASS E PURPOSES (PREVIOUSLY WITHIN CLASS B1), AT THE OLD SCRAP YARD UNNAMED SECTION OF A515 FROM MAIN ROAD TO BACK LANE, BIGGIN (NP/DDD/1221/1378, ALN)**

Members had visited the site the previous day.

The Planning Officer introduced the report and amendments to conditions, including changing of condition 5 to secure additional landscaping, condition 6 to secure surfacing material, and a further condition to clarify that specific previously existing walls are not to be rebuilt.

The Planning Officer informed Members that a Lawful Development Certificate (LDC) was granted in 2011 for a scrapyard, and that this application for a change of use to an office/warehouse would have a lesser impact on the landscape and would be more screened with extra landscaping.

The following spoke under the public participation at meeting scheme:-

- Mr S Davies – Applicant

Members asked whether a contamination check on the soil needed to be done as it was a scrap yard, but the Planning Officer considered that this was not necessary as most of the work that had been carried out previously had been done on a concrete standing.

A motion to approve the application in accordance with the Officer recommendation and amendments to conditions 5 & 6 and the additional conditions regarding walling was moved and seconded, and a vote was taken and carried.

**RESOLVED:**

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

- 1. 3 year implementation time limit.**
- 2. Adopt amended plans.**
- 3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the site shall be used for office (use class E (g)) and/or storage/warehousing (use class B8) only and for no other use within the Use Classes Order. There shall be no retail sales from the site.**
- 4. The use hereby permitted shall be limited only to the triangular shaped area to the north west of the new boundary wall that runs north east to south west to the north of the proposed tree planting area. There shall be no storage of materials or other equipment associated with the approved use on land in ownership outside of this area.**
- 5. Amended landscaping scheme to be submitted, approved and implemented. To include additional planting to northwest and west of buildings and to include details of soil improvement works. The new boundary feature that runs along the south east side of the parking and manoeuvring area shall be a 1.2m high continuous limestone drystone wall**

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(not a post and wire fence as annotated on approved plan no. 2124-01 Rev E).

6. Before any other works commence, the first 10m of the private access road from A515 to be widened to 5 metres (within the confines of and without demolition of the flanking drystone walls), and hard surfaced unless otherwise agreed.
7. Passing place and parking and manoeuvring space all as shown on the approved plans to be provided before the premises is first brought into use and retained for the life of the development.
8. The land in advance of visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access to the extremities of the site frontage abutting the highway in each direction shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.
9. Landscape management plan to be submitted and agreed for existing trees on the site.
10. There shall be no gates or other barriers within 5m of the nearside highway boundary, and any gates shall open inwards only.
11. There shall be no 'daylight panels' on the south elevation of the single storey element of the building.
12. The solar pv panels shall be matt black with black framing and shall have a matt, non-reflective finish.
13. Before the premises is first brought into use an ecological management plan for the surrounding land in ownership shall be submitted to and agreed by the National Park Authority.
14. Bird nesting boxes to be provided in accordance with the submitted ecological appraisal.
15. Before the premises is first brought into use a scheme for environmental management measures on land in the applicant's ownership and control shall be submitted to an agreed in writing by the National Park Authority.
16. External lighting scheme to be submitted and agreed.
17. The sheeting for the sides and roof of the building shall be dark green.
18. Former walls as shown on the proposed block plan are not to be rebuilt.
19. Submission of plans showing re-alignment of new drystone wall to avoid root area of existing retained tree.

52/22

**FULL APPLICATION - TO RE-POINT RATHER THAN RE-RENDER THE EAST AND NORTH WALLS OF THE CHAPEL. TO BUILD A WHEELCHAIR ACCESSIBLE PATHWAY (1200MM WIDE) FROM THE END OF THE EXISTING PAVED PATH IN FRONT OF THE CHAPEL TO THE PROPOSED ACCESSIBLE TOILET FACILITIES IN THE REAR OFFSHOT. TO BUILD A LOW RETAINING WALL BEHIND THE CHAPEL ALONGSIDE THE NEW PATH TO PROTECT THE BACK WALL FOUNDATION (WHICH IS AT A HIGHER LEVEL). FITTING A STOVE, THE FLUE PIPE OF WHICH WOULD PROJECT THROUGH THE CHURCH GABLE (WEST) THEN UP THROUGH THE REAR SLOPE OF THE SCHOOLROOM (AND THEREFORE NOT VISIBLE FROM THE FRONT). THE CREATION OF AN EASILY ACCESSIBLE, COMMUNAL REAR GARDEN. CREATION OF A SMALL CAR PARKING AREA AT THE FRONT LEFT OF THE BUILDING. THIS WOULD INVOLVE MOVING AND WIDENING THE EXISTING GATE POSTS AT EDALE METHODIST CHURCH, BARBER BOOTH, EDALE (NP/HPK/0521/0508, WE)**

Mr Helliwell left the meeting for this item due to a personal and prejudicial interest. Mr Smith took over the role of Chair.

The Planning Officer introduced the report and informed Members that the Authority's Archaeologist had no concerns to the amended proposals.

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

Ms C Jackson – Supporter  
Rev J Letts – Supporter  
Ms K Burnett – Project Co-Ordinator, Supporter

Members considered that the Chapel was an important building to the community and it was important that it was maintained and improved, and having a dedicated car park for Chapel users addressed some of the concerns and objections that had been received regarding roadside parking.

The Planning Officer suggested that the use of external lighting in the car park be controlled by an extra condition.

A motion to approve the application in accordance with the Officer recommendation, subject to an additional condition regarding external lighting, was moved and seconded, and a vote was taken and carried.

**RESOLVED:**

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

- 1. 3 year implementation time limit.**
- 2. Adopt submitted plans**
- 3. Prior to commencement of work to the gritstone wall, a Method Statement for the creation of a new access shall be submitted and approved to the LPA. The development shall then be carried out in accordance with the approved details.**
- 4. Prior to commencement of works to the gritstone wall, a scheme of protection measures to ensure the burial plot and headstones are not**

impacted by the proposed carparking area to be submitted and approved by the LPA. The development shall then be carried out in accordance with the approved details.

5. At commencement of works, space shall be provided for storage of plant in accordance with designed to be submitted to LPA. The development shall then be carried out in accordance with the approved details.
6. New access to be formed in accordance with approved plans, laid out, constructed and maintained in perpetuity free from any impediment.
7. The entire site frontage shall be cleared, and maintained thereafter, clear of any obstruction exceeding 1m in height in order to maximise visibility available to drivers emerging from access.
8. The proposed area within the curtilage of the application site shall be used for the parking, turning, loading and unloading of vehiculars clear of the fronting road and shall be maintained free of any impediment to its designated use.
9. The re-pointing of the western and northern elevations of the Chapel shall be carried out in accordance with the Method Statement received by the authority on 26/04/2022.
10. Notwithstanding what is shown on the approved plans, this application does not grant consent for the air source heat pump as shown on 0115-02/9D.
11. Notwithstanding what is shown on the approved plans, the pathway from the pedestrian gate to the Chapel door shall be surfaced in Breedon Wayfarer following the specification received by the authority on 14th March 2022.
12. Archaeology conditions setting out a requirement for a watching brief to be agreed.
13. No external lighting shall be installed except in accordance with a detailed scheme to be submitted and agreed in writing by the Authority.

53/22

**FULL APPLICATION - S.73 PLANNING APPLICATION FOR VARIATION OF CONDITION 2 ON NP/DDD/0419/0399 AT ORCHARD FARM, MONSDALE LANE, PARWICH (NP/DDD/1021/1143, SC)**

Mr Helliwell returned to the meeting and resumed as Chair.

The Planning Officer introduced the report which was to vary Condition 2 of a permission approved in 2019.

Members considered whether the use of solar panels would be sensitive to the Conservation Area and asked whether the Planning Officer could simplify the arrangement of the panels by condition which the Officer agreed would be possible.

A motion to approve the application in accordance with the Officer recommendation with an additional condition to secure the appearance and arrangement of the panels to a simpler form was moved and seconded, and a vote was taken and carried.

**RESOLVED:**

**That the application be APPROVED subject to repeating across all other outstanding conditions from the original decision, and including additional conditions to secure the appearance of the solar panels, including amendment to their arrangement to simplify the appearance.**

**54/22 HEAD OF LAW REPORT - PLANNING APPEALS**

The Head of Planning introduced the monthly report on planning appeals lodged, withdrawn and decided, and in particular the Appeal at Oulds Barn in which the Planning Inspector had granted the application which had been refused by Planning Committee. The Head of Planning felt that the Inspector had not given sufficient weight to the National Park designation and the openness of the landscape, and was therefore intending to write to the Inspectorate to highlight these issues.

**RESOLVED:-**

**To note the report.**

The meeting ended at 12.50 pm