

# Public Document Pack

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## MINUTES

Meeting:	<b>Planning Committee</b>
Date:	Friday 7 August 2015 at 10.00 am
Venue:	Board Room, Aldern House, Baslow Road, Bakewell
Chair:	Mr P Ancell
Present:	Cllr D Birkinshaw, Cllr P Brady, Cllr D Chapman, Cllr Mrs N Hawkins, Mr R Helliwell, Cllr C Howe, Cllr H Laws, Cllr Mrs J A Twigg and Cllr G Weatherall
Apologies for absence:	Cllr C Carr, Ms S McGuire and Cllr Mrs K Potter

### 90/15 MINUTES OF THE PREVIOUS MEETING

The minutes of the last meeting held on 10 July 2015 were approved as a correct record subject to a minor amendment to the 5<sup>th</sup> paragraph of minute 86/15 to record that Cllr Mrs K Potter had left the room during consideration of this item..

### 91/15 URGENT BUSINESS

There was no urgent business to report.

### 92/15 MEMBERS DECLARATIONS OF INTEREST

Items 6:

Noted that all members had received 15 items of correspondence regarding this item sent both in support of and against the proposed development.

Judith Twigg, personal interest, as a County Councillor she knew public speakers Mr R Powell, Mr R Williams-Manlove, Mr R Lownsborough and Mrs C Longdon when Baslow had been part of her County Council electoral division. She had not discussed the item with them before the committee.

Item 14:

Caroline Howe personal interest, as the Parish of Chapel en le Frith is part of her High Peak Borough Council ward.

### 93/15 PUBLIC PARTICIPATION

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

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**94/15 FULL APPLICATION - CHANGE OF USE AND ALTERATIONS TO EXTERNAL ELEVATIONS TO CREATE CLASS A1 CONVENIENCE STORE WITH ASSOCIATED SERVICING, REFUSE, PLANT AND PARKING AREAS (REVISED DESCRIPTION) - RUTLAND ARMS, CALVER ROAD, BASLOW**

It was noted that this item had been deferred from the Planning Committee on 13 March to gather and report more information on parking and highway issues and the impact of the proposals on the setting of the conservation area and the adjacent listed structures.

The Committee were advised that since the meeting in March the application title had been amended to reflect legislative changes relating to permitted development rights and therefore full consultation had been repeated. It was noted that since the report had been published a further letter of support had been received along with clarification that the Baslow Parish Council's objections were based on highway grounds only. The Committee were also advised that since this application had been last considered, the public house had closed.

It was noted that the Highways Authority had raised no objection to the proposals subject to the extension of double yellow lines and an extension to the existing steel barrier.

It was confirmed that Derbyshire Dales District Council had listed the Rutland Arms as an Asset of Community Value but as a food store was a community use this was not a valid reason to refuse the application.

The following spoke under the Authority's Public Participation Scheme:

- Ms D Ingram, professional planning consultant, on behalf of Baslow SOS
- Richard Powell – Objector, SOS Group
- Kate Poole, Baslow SOS, Objector
- Francesca Muscroft, Objector (SOS Group)
- Jonathan Fish, Objector (SOS Group)
- David Upton, Objector
- Roger Lownsborough – Objector
- Mrs C Londen - Supporter
- Mrs J Pederson, Supporter
- Mr G Hobson, Supporter
- Mr S Armiger, Supporter
- Mr R Williams-Manlove, Supporter
- Mr Rodney Wilson, Supporter
- Chris Quinsee – Agent (Peter Brett Associates)

Following discussion a motion to refuse the application due to the loss of an asset of community value was moved and seconded, put to the vote and lost.

A motion to approve the application in accordance with the officer recommendation was moved and seconded, subject to an amendment to the highway conditions. The motion was put to the vote and carried.

In accordance with Standing Order 1.12(2) Cllr Mrs N Hawkins and Cllr H Laws asked that their vote against the decision be recorded.

**RESOLVED:**

**To APPROVE the application subject to the following conditions:**

- 
1. **3 year time limit**
  2. **In accordance with revised plans**
  3. **All new walling to be natural stone to match the existing**
  4. **Prior to installation, precise details of the proposed windows along with details of their proposed finishes shall be submitted for written approval by the Authority**
  5. **Prior to the building being taken into the approved use amended details of the method in which the windows are to be obscured shall be submitted for written approval by the Authority**
  6. **Scheme of external lighting to be submitted for written approval by the Authority prior to the new use being implemented**
  7. **Prior to the installation of any external refrigeration, air conditioning, or other motors or fans a noise survey shall be undertaken, submitted, and any mitigation agreed in writing by the Authority.**
  8. **Delivery and refuse collections limited to be between the hours of 08:00 to 18:00, Monday to Fridays, 09:00 to 13:00 on Saturdays and no deliveries on Sundays and Bank Holidays**
  9. **Visibility splays and site accesses shall be maintained in perpetuity as shown on the revised plans.**
  10. **No development shall take place until space has been provided within the site for the storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods and vehicles, and the parking and manoeuvring of employees and visitors vehicles in accordance with details to be submitted and approved in writing by the Authority.**
  11. **No development shall take place until a Delivery Management Plan addressing size, timing, and routing of delivery vehicles has been submitted and approved in writing by the Authority.**
  12. **No development shall take place until a Traffic Management Plan to deter roadside parking has been submitted and agreed in writing and the yellow lines are in place.**
  13. **Parking provided and maintained in accordance with revised plans.**
  14. **Shop doors shall not open outwards.**
  15. **No access ramps to the shop within the public highway.**
  16. **Removal of permitted development rights for extensions and external alterations.**
  17. **Flood mitigation measures to be carried out in accordance with those proposed in the submitted Flood Risk Assessment document.**

A short break was taken between 11.50 and 12.05 Following consideration of this item.

**95/15 FULL APPLICATION - CHANGE OF USE OF BARN TO AGRICULTURAL WORKER'S DWELLING AT NEW BUILDING, VICARAGE FARM, HOLLINSCLOUGH**

It was noted the Committee had indicated that it was minded to approve this application at the meeting held in July and this item now allows further discussion on conditions and a section 106 agreement.

The recommendation was moved, seconded, voted upon and carried.

**RESOLVED:**

**To APPROVE the revised application subject to prior entry into a s.106 legal agreement preventing the separate sale of the new house from the associated land within the applicant's agricultural holding and restricting the future occupancy of the new house, and subject to the following conditions/modifications:**

**Statutory Time Limit**

1. **The development hereby permitted shall be begun within 2 years from the date of this permission.**

**Approved Plans**

2. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans, BM 2375-3, BM 2375-4 and BM 2375-5 subject to the following conditions or modifications:**

**Conversion within Existing Shell**

3. **The conversion hereby approved shall be carried out entirely within the shell of the existing building. No part of the building shall be rebuilt without the prior written consent of the National Park Authority.**

**Underground Service Lines**

4. **All new service lines associated with the approved development, and on land with the applicant's ownership and control, shall be placed underground and the ground restored to its original condition thereafter.**

**Disposal of Foul Sewage**

5. **No development shall take place until a scheme for the disposal of foul sewage to a package treatment plant has been submitted to and approved in writing by the Authority. Thereafter, the package treatment plant shall be installed in complete accordance with the approved plans prior to the first occupation of the dwelling hereby permitted.**

**Parking and Access**

6. **No development shall take place until a specification or sample of the material to be used for the surfacing of the drive, parking and manoeuvring areas has been submitted to and approved in writing by the National Park Authority.**

7. **Prior to the first occupation of the dwelling hereby permitted, the access, parking and turning areas shall be completed in accordance with the specifications approved under Condition 7 (above).**

#### **Residential Curtilage**

8. **Prior to the first occupation of the dwelling hereby permitted, the curtilage of the converted barn shall be defined with a drystone wall along the boundaries of the application site shown edged in red on Drawing No. BM 2375-5. The drystone wall shall be constructed in locally obtained natural stone, to a height of 1.2m - 1.5m, coursed and pointed to match the stonework of the existing boundary walls.**

#### **External Lighting**

9. **Unless otherwise agreed in writing by the National Park Authority, there shall be no external lighting and the converted building and associated curtilage shall not be provided with any other external source of illumination at any time during the lifetime of the development hereby approved.**

#### **Design Details and Architectural Specifications**

10. **Prior to the installation of any new windows, full details of their precise design, including any glazing bar detail, recess from the external face of the wall and external finish, shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved specification and shall be permanently so maintained.**
11. **Prior to the installation of any new doors, full details of their precise design including external finish and recess from the external face of the wall, shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details and shall be permanently so maintained.**
12. **Prior to the installation of any external flue pipe for a wood burner or any other heating appliance, full details of its precise design including its size, location and external finish shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details and shall be permanently so maintained.**
13. **All pipework, other than rainwater goods but including soil vent pipes and drainage pipes, shall be completely internal within the building.**
14. **The rainwater goods shall be cast metal, painted black. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.**
15. **The roof verges shall be flush cement pointed, with no barge boards or projecting timberwork.**

#### **Permitted Development Rights**

16. **Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the converted building shall be carried out and no extensions, porches, sheds, or ancillary outbuildings shall be erected on the site without the National Park Authority's prior written consent.**

**96/15 FULL APPLICATION - TWO NEW HYDRO ELECTRIC STATIONS ON THE RIVER DERWENT AT CHATSWORTH; ONE ON THE UPPER AND ONE ON THE LOWER WEIRS AT CHATSWORTH HOUSE**

The Chair confirmed that Items 8 and 9 would be discussed together as they referred to the same proposed developments.

Members had visited the site on the previous day.

The Committee considered the proposals set out in the report with additional images to illustrate the anticipated visual impact. The Committee noted the importance of the site as a tourist destination and the historic landscaped grounds, noting that the Authority's Landscape Architect had no objections to the plans.

It was noted that since publication of the report a letter of support had been received from Friends of the Peak District and the British Hydro Power Association.

The following spoke on both items under the Authority's Public Participation Scheme:

- Dr Elise Percival – Supporter
- Dr Andy Tickle – Friends of the Peak District, Supporter
- Ben Garstang – Applicant

The recommendation to approve the application subject to an additional condition to submit and agree in writing a scheme of agreement for health and safety signage, interpretation boards and fencing or other barriers was moved, seconded, voted on and carried.

**RESOLVED:**

**To APPROVE the application subject to the following conditions:**

1. **Statutory 3 year time limit**
2. **Adopt submitted and additional plans.**
3. **Programme of archaeological work including a Written Scheme of Investigation to be submitted to and approved by the Authority in writing before development commences.**
4. **No development until a detailed method statement for the management / control of signal crayfish on the site during the development and a plan detailing the protection of white clawed crayfish shall be submitted to and approved in writing.**
5. **Before works commence on the works to the upper weir, details shall be submitted and agreed in writing by the National Park Authority with regard to the timing and method of undertaking destruction of the identified bat roost, and a plan showing sites for and type of new bat boxes.**

6. **Working method statement to be submitted and agreed in writing detailing how harm to water voles and sand martin nest will be avoided during construction, and regarding works to the veteran tree. Statement shall also address construction traffic accessing the site.**
7. **Details to be submitted and agreed for sites for/details of replacement habitat for the removed silt beds.**
8. **No parts of the retaining walls other than those shaded red on plan no. PL-008-Rev A shall be removed unless otherwise agreed in writing by the National Park Authority.**
9. **Sample panel of new walling, including pointing, to be agreed.**
10. **Details of coping stones to be submitted and agreed.**
11. **Plantation to west of upper weir (shown to be retained on Figure 02-SH Proposed Tree Planting Plan) to be retained. Proposed tree planting as shown on Figure 02-SH to be carried out in the first planting season following completion of the development, or the turbine being brought into operation, whichever is sooner.**
12. **Minor Design Details**
13. **A scheme of agreement relating to health and safety signage, interpretation and fencing or other barriers to be submitted and agreed in writing.**

In accordance with the Authority's standing orders, the Committee agreed to continue the meeting beyond 1 pm.

**97/15 LISTED BUILDING APPLICATION - TWO NEW HYDRO ELECTRIC STATIONS ON THE RIVER DERWENT AT CHATSWORTH; ONE ON THE UPPER AND ONE ON THE LOWER WEIRS AT CHATSWORTH HOUSE**

The recommendation to approve the listed building application subject to an additional condition to submit and agree in writing a scheme of agreement for health and safety signage, interpretation boards and fencing or other barriers was moved, seconded, voted on and carried.

**RESOLVED:**

**To APPROVE the application subject to the following conditions:**

1. **Statutory 3 year time limit**
2. **Adopt submitted and additional plans.**
3. **Programme of archaeological work including a Written Scheme of Investigation to be submitted to and approved by the Authority in writing before development commences.**

4. **No parts of the retaining walls other than those shaded red on plan no. PL-008-Rev A shall be removed unless otherwise agreed in writing by the National Park Authority.**
5. **Sample panel of new walling, including pointing to be agreed.**
6. **Details of coping stones to be submitted and agreed.**
7. **Minor Design Details**

**98/15 FULL APPLICATION - CONTINUED USE OF LAND FOR CLAY TARGET SHOOTING AT LAND FACING THE GROUSE INN, CHUNAL**

It was noted that this item had been deferred by the Committee on 12 June 2015 to allow Members to visit the site.

Members had visited the site on the previous day.

It was also noted that an enforcement notice had been issued following the expiry of permission granted in 2005 which allowed 20 days shooting per annum plus Sundays.

The following spoke under the Authority's Public Participation Scheme:

Mr D Batty, Applicant

As the unlawful use had been carried on for a long period of time without complaint, it would not have a detrimental impact on amenity. Therefore a motion to approve the application was moved, seconded, voted upon and carried.

**RESOLVED:**

**To APPROVE the application subject to the following conditions/modifications:-**

1. **Restrict shooting between the hours of 09.30 – 16.30 with a registered number of shooters and no more than 10 hours shooting per week and keep a register of users.**
2. **No shooting between 1 April and 15 July each year**
3. **Section 106 agreement to secure parking at the public house**
4. **Bio degradable clays are used and fibre wadding cartridges**
5. **The visual impact of the boxes and cages to be reduced**
6. **No shooting over the footpath**
7. **To submit and approve a site management plan including a footpath management plan**
8. **Cages to be removed from site when not in use**
9. **Maximum of eight shooting positions in use at one time.**



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**99/15 FULL APPLICATION - SINGLE STOREY REAR EXTENSION AND ALTERATIONS TO DWELLING AT 'IONA', LONGREAVE LANE, ROWLAND**

This application has been referred to Planning Committee because the applicant's wife is an employee of the National Park Authority and has declared an interest.

Cllr Mrs L Roberts and Cllr Mrs N Hawkins declared personal interest as they knew the applicant through employment at Staffordshire Moorlands District Council and had not discussed the matter with the applicant.

The following spoke under the Authority's Public Participation Scheme:

Mr M Green, Applicant

The recommendation was moved, seconded, voted on and carried.

**RESOLVED:**

**To APPROVE the application subject to the following conditions:**

- 1. 3 year implementation time limit.**
- 2. Adopt amended plans.**
- 3. Bathroom window to be obscure glazed in perpetuity.**
- 4. If the hedgerow on the southern boundary dies or is removed at any point in the future, it shall be replaced by a 2m high close boarded fence.**
- 5. New front boundary wall to be constructed in natural limestone as a traditional drystone wall.**
- 6. Minor design details.**

Following consideration of this item the meeting adjourned for lunch at 13.40 returning at 14.10.

**100/15 STANTON MOOR MINERAL LIAISON GROUP AND CONSULTATION ON MINERAL PLANNING MATTERS IN THE STANTON MOOR AREA**

The Chair welcomed to the meeting Professor Tony Crook, Chair of the Stanton Moor Mineral Liaison Group.

Professor Crook thanked the Chair for inviting him to speak and outlined the work of the group so far which had facilitated an honest exchange of views from those taking part. It was noted that the quarry operator had provided a tour of the quarry site to Members of the Group which had been interesting and informative.

It was confirmed that as there were different levels of understanding within the group on the planning system and how it relates to minerals extraction a series of seminars had been built into the meetings to facilitate a greater understanding of the operating environment.

A statement from Cllr Mrs K Potter was read out in her absence. Prof. Crook and the Director of Planning expressed their regret that Cllr Mrs Potter had felt that she was unable to participate in recent meetings.

The recommendation was moved, seconded, voted on and carried.

**RESOLVED:**

- 1. To note the minutes of the Stanton Moor Minerals Liaison Group of October 2014, March 2015 and June 2015.**
- 2. To confirm that the Stanton Moor Minerals Liaison Group continues to operate as constituted in 2014.**

**101/15 APPROVAL OF BRADWELL NEIGHBOURHOOD PLAN TO TAKE FORWARD TO REFERENDUM**

The Village and Communities Officer introduced the item which had been previously considered by the Committee on 15 January 2015. The Committee were asked to consider the examiners report and accept modifications so that a referendum on adoption of the plan could take place.

It was confirmed tha Derbyshire Dales District Council would carry out a referendum and all those registered to vote within the area will be able to take part. Over 50% of those who vote need to say yes for the plan to be adopted. Before it could be adopted the Plan had to receive support from more than 50% of the electorate voting on the proposal. The exact wording of the question on the ballot paper was included in the report.

Ms L Grainger, Chair of the Bradwell Neighbourhood Planning Committee and Cllr P Downing, Chair of Bradwell Parish Council, were in attendance to listen to the discussion of this item and answer questions if required..

The recommendation was moved, seconded, voted upon and carried.

**RESOLVED:**

**In accordance with Schedule 4B, para 12 of the 1990 Town and Country Planning Act:**

- 1. To accept the examiner's recommendations and make modifications to Bradwell Neighbourhood Plan (submission draft), as set out in the examiner's report (Appendix 1 of the report),**
- 2. To agree that Bradwell Neighbourhood Plan, as modified, would meet the basic conditions, be compatible with Convention rights, and comply with the definition of, and the provisions that can be made by, a neighbourhood plan.**
- 3. To Approve that Bradwell Neighbourhood Plan (submission draft) is modified in accordance with the examiner's report and as set out in the Schedule of Proposed Modifications (Appendix 2 of the report).**
- 4. To Determine that the modified plan go forward to referendum.**

Cllr Harold Laws left the meeting at 14.50 following consideration of this item.

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**102/15 MAKING OF CHAPEL NEIGHBOURHOOD PLAN**

It was noted that at a recent referendum 56% of those voting supported the adoption of a the development plan. It was confirmed that High Peak Borough Council had approved the plan for areas within the Parish but outside of the National Park boundary.

The recommendation was moved, seconded, voted on and carried.

**RESOLVED:**

**To confirm the making of the Chapel-en-le-Frith Neighbourhood Development Plan 2013 – 2028 as part of the Peak District National Park Authority’s development plan for the part of the designated Neighbourhood Area that lies within the Peak District National Park.**

**103/15 LOCAL DEVELOPMENT PLAN ANNUAL MONITORING REPORT FOR 2013/14-2014/15**

The recommendation was moved, seconded, voted upon and carried.

**RESOLVED**

**To note the Annual Monitoring Report for 2013/14 – 2014/15 as set out in Appendix 1.**

Cllr Mrs Norma Hawkins left the meeting at 15.05 during consideration of this item

Cllr Jamie Macrae left the room at 15.10 during consideration of this item but returned at 15:20.

**104/15 HEAD OF LAW REPORT**

The recommendation was moved, seconded, voted upon and carried.

**RESOLVED**

**To note the report.**

The meeting ended at 3.35 pm

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