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## MINUTES

Meeting:	<b>Planning Committee</b>
Date:	Friday 19 January 2024 at 10.00 am
Venue:	Aldern House, Baslow Road, Bakewell
Chair:	Cllr P Brady
Present:	Cllr V Priestley, Cllr M Beer, Cllr M Buckler, Cllr M Chaplin, Cllr B Hanley, Cllr D Murphy, Cllr Mrs K Potter and Mr K Smith
Apologies for absence:	Cllr A Hart, Cllr L Hartshorne, Cllr I Huddleston, Cllr C O'Leary and Cllr K Richardson.

### **1/24 APOLOGIES FOR ABSENCE**

The Chair expressed his thanks and appreciation to Lydia Slack on behalf of the Planning Committee Members following her resignation from the Authority.

The Chair then welcomed Charlotte Lockwood, Senior Planning Lawyer to the meeting.

### **2/24 MINUTES OF PREVIOUS MEETING HELD ON 8 DECEMBER 2023**

The minutes of the last meeting of the Planning Committee held on 8 December 2023 were approved as a correct record.

### **3/24 URGENT BUSINESS**

There was no urgent business.

### **4/24 PUBLIC PARTICIPATION**

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

### **5/24 MEMBERS DECLARATIONS OF INTEREST**

Item 7

Cllr Brady declared a prejudicial interest in this item due to knowing the applicant and having both resided in the village and served on the Parish Council. Therefore he would leave the room when this item was discussed.

All Members had received an email from the applicant.

Item 9

All Members declared an interest in this item as it related to property which is owned by the Peak District National Park Authority.

**6/24 FULL APPLICATION - CHANGE OF USE OF DINING ROOM FOR BOTTLING ON SITE SPRING WATER ON A PERMANENT BASIS AT CRAG INN, CLOUGH ROAD, WILDBOAR CLOUGH (NP/CEC/0723/0764) TS**

The Planning Officer reminded Members that this application had been deferred from the Planning Committee on the 3rd November 2023 to allow the applicant to address the concerns raised by Members regarding the unauthorised storage associated with the water bottling use on the site.

The Planning Officer reported that those concerns had now been addressed by the applicant, and that the applicant had provided Officers evidence that the unauthorised storage had been removed. The Officer then presented the report and outlined the reasons for approval.

A motion to approve the application was proposed, seconded, voted on and carried.

**RESOLVED:**

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

- 1. Development to be carried out in accordance with the submitted plans.**
- 2. Water bottling and associated storage to be restricted to the dining room and enclosed yard to the east of the public house only.**
- 3. Maximum of 500 crates / 5000 litres of water to be bottled and/or distributed in any day.**
- 4. The water bottling use shall cease if the Crag Inn ceases to trade as a public house.**
- 5. Use of machinery and deliveries and activity in the external yard to be limited to between 08.30am and 6.00pm only.**
- 6. No direct sales of bottled water from the site other than from the bar within the Crag Inn public house.**

**7/24 LISTED BUILDING CONSENT - 5 NO'S WINDOWS TO BE REPLACED, STONEMASONRY AROUND WINDOWS TO BE REPLACED, ALL TO THE FRONT ELEVATION AT LILAC COTTAGE, MAIN STREET, TADDINGTON (NP/DDD/0823/0935, RD)**

Cllr Brady left the meeting for this item due to a prejudicial interest. Cllr Priestley, Vice Chair took the Chair.

Some Members had visited the site the previous day.

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:

- Jill Skidmore, Supporter – submitted statement read out by the Customer and Democratic Service Senior Advisor.
- Trevor Ride, Applicant

Some Members considered that the design was acceptable and that it was not obvious that the property was already double glazed, so had no problem with what was being achieved by the applicant, however they were reminded by the Authority Conservation Officer, who attended the meeting to answer any detailed questions, that the double glazed windows were unauthorised with no listed building consent and that other options for glazing were available.

A motion to approve the application, was moved and seconded but not voted on.

Members asked what alternatives could be used? The Conservation Officer reported that secondary glazing was as efficient as double glazing and generally out performed single glazing.

Members requested that the item be deferred to allow for further discussions between the Officer and Applicant as there was not enough detail in the report regarding the stone mullions that also needed replacing.

The motion to approve the application was withdrawn and a motion to defer the application to allow for further discussions between the Applicant and Officers regarding alternatives and replacement of the stone mullions was moved, seconded, voted on and carried.

**RESOLVED:**

**That the application be DEFERRED to allow for further discussions with the Applicant and Officers to seek further discussions in regard to the proposed double glazing and the replacement of the mullions.**

8/24

**CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 - REPLACEMENT PEDESTRIAN FOOTBRIDGE OVER THE RIVER WYE AT CRESSBROOK MILL. BRIDGE TO CARRY A CONCESSIONARY FOOTPATH THAT IS AN IMPORTANT ACCESS ROUTE FOR THE SURROUNDING AREA. THE STRUCTURE WILL CONSIST OF A GRIP DECK WITH TIMBER HANDRAILS AND BE OF A SIMPLE DESIGN NOT DISSIMILAR TO THE EXISTING BRIDGE. (NP/DDD/1023/1299) P. 10951)**

Cllr Brady returned to the meeting and resumed as Chair.

This item was dealt with at the same time as Item 9, but the discussion and votes were taken separately. Please see full minute detail in Minute 9/24 below.

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

**RESOLVED:**

**That this 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 2019 (as amended) in relation to the planning application at Cressbrook Mill (NP/DDD/1023/1299).**

9/24

**FULL APPLICATION - REPLACEMENT PEDESTRIAN FOOTBRIDGE OVER THE RIVER WYE AT CRESSBROOK MILL. BRIDGE TO CARRY A CONCESSIONARY FOOTPATH THAT IS AN IMPORTANT ACCESS ROUTE FOR THE SURROUNDING AREA. THE STRUCTURE WILL CONSIST OF A GRIP DECK WITH TIMBER HANDRAILS AND BE OF A SIMPLE DESIGN NOT DISSIMILAR TO THE EXISTING BRIDGE. (NP/DDD/1023/1299) P. 10951)**

The report was introduced by the Planning Officer who laid out the reasons for approval as set out in the report, which was to replace the existing footbridge over the River Wye which has been closed since 2019 due to safety concerns.

The Officer reported an amendment to Condition 18 of the report in that the colour of the bridge deck would be grey and not green as grey would be more acceptable in this location. The Officer also reported that the Environment Agency had not commented on the proposal yet, so if Members were minded to approve the application, then the decision could be delegated to the Head of Planning, in conjunction with the Chair and Vice Chair of Planning.

Members asked why resin was being used for the base of the bridge. The Officer reported that it would be more cost effective, and that using steel would be more expensive and would mean the footpath being closed for even longer, also using timber in that location could become a safety issue as it could become slippery when wet.

A motion to approve the application in principle and to grant Officer delegation in consultation with the Chair and Vice Chair of Planning, and to amend Condition 18 was proposed and seconded, put to the vote and carried.

**RESOLVED:**

**That the application be APPROVED in principle with the final decision delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee and subject to the following conditions:-**

- 1. Standard time limit**
- 2. Carry out in accordance with specified approved plans and documents**
- 3. Following removal of existing bridge and assessment of structural integrity of western abutment, full details of bridge design and foundations to be submitted to the National Park Authority for approval prior to new bridge installation.**

4. **No stonework to bridge abutments to be carried out other than in complete accordance with a sample panel of stonework to be constructed for inspection and approval by National Park Authority.**
5. **Section 211 application to be submitted for the removal of trees affecting the bridge area.**
6. **Pre-commencement condition requiring details of tree protective fencing**
7. **Details of replacement tree planting to be submitted prior to first use of bridge and planted in first landscaping season thereafter.**
8. **Pre-commencement condition requiring a Construction Management Plan**
9. **Pre-commencement condition requiring Construction Ecological Management Plan**
10. **Works to be undertaken in full accordance with Ecology Report and Reasonable Avoidance Measures (RAMs) Method Statement with report to be submitted on completion of works.**
11. **No development or construction works beyond the weir**
12. **Pre-work checks prior to removal of stone wall and any work around the river**
13. **Works to cease upon discovery of any protected species and an ecologist from the National Park Authority contacted.**
14. **Avoid works during nesting bird season or undertake checks no more than 48 hours prior to works including vegetation clearance.**
15. **Installation of 2x bat boxes**
16. **Re-instatement of stone wall prior to first use of footbridge**
17. **Bridge deck to be finished in grey colour**

**10/24 FULL APPLICATION - PROPOSED BARN CONVERSION TO CREATE A SINGLE DWELLING INCLUDING THE UPGRADE OF AN EXISTING SINGLE STOREY SIDE EXTENSION TOGETHER WITH ALTERATIONS TO ADJACENT FARM HANDS COTTAGE TO CREATE RESIDENTIAL CURTILAGE WITH DEDICATED AMENITY SPACE FOR THE COTTAGE AT HALL FARM HOUSE BED AND BREAKFAST, HALL LANE, LITTON (NP/DDD/0621/0657, JK)**

Some Members had visited the site the previous day.

The Planning Officer presented the report and outlined the reasons for refusal as set out in the report.

The following spoke under the public participation at meetings scheme:

- Fraser Scott – Applicant

Members were minded to approve the application as they felt it would be a great enhancement and would improve the viability of the property, but accepted that an ecological survey needed to be carried out to see how bats were using the site, but this could only be done from May onwards.

A motion to approve the application in principle and to grant Officer delegation in consultation with the Chair and Vice Chair of Planning and subject to an ecological survey being carried out, was proposed and seconded, put to the vote and carried.

**RESOLVED:**

**That the Committee were minded to approve the application in principle and subject to conditions with the final decision delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee.**

**11/24 FULL APPLICATION - CHANGE OF USE OF CLASS B8 STORAGE UNIT TO CLASS E USE AT BURNSIDE GARAGE, LAMB HILL, LOW BRADFIELD (NP/S/1223/1430) P. 8547**

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

The Officer reported that since the report was published a further response had been received in support of the application. It was also reported that Bradfield Parish Council had amended their concerns regarding parking and the impact on the Conservation Area, and that the Authority Ecology Team had found no evidence of bats on the site.

*Cllr Beer left the meeting during discussion of this item at 11:35 and returned to the meeting at 11:39*

The following spoke under the public participation at meetings scheme:

- Brett Simpson-Lyons, Agent – Statement submitted and read out by the Customer & Democratic Services Senior Advisor.

A motion to approve the application was proposed and seconded, put to the vote and carried.

**RESOLVED:**

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

1. **Standard time limit**
2. **Carry out in accordance with specified approved plans and documents**
3. **Condition to restrict preparation of food on site**
4. **Restriction on opening hours of the premises**
5. **Finish of external timber shutter door to be painted dark blue to match adjacent timber door**

6. **Pre-occupation condition requiring details of deliveries to the unit**
7. **Details of the materials and finish of the internal shopfront door and windows to be submitted for approval prior to installation**
8. **Works to be avoided during nesting bird season or otherwise subject to checks by an ecologist no more than 48 hours prior to works commencing**
9. **Pre-occupation condition requiring details of the specification and siting of 2 bat boxes**

## **12/24 MAKING OF WHALEY BRIDGE NEIGHBOURHOOD PLAN**

The Communities Policy Planner introduced the report and reminded Members that at the October Planning Committee, Members voted to approve the Whaley Bridge Neighbourhood Plan and to proceed to a public referendum which was held on the 7<sup>th</sup> December 2023, where 92% of the people voted in favour with 8% voting against the High Peak Borough Council and Peak District National Park using the Whaley Bridge Neighbourhood Plan to determine planning applications in their area.

The Officer reported that the majority of the Neighbourhood Plan area was within High Peak Borough Council, however, there were policies within the plan that were relevant to the National Park and It was considered that all of the Whaley Bridge Neighbourhood Plan policies were in general conformity with the Peak District National Park's planning policies (as required by legislation), and that these policies enhance important local aspects as identified by the Neighbourhood Plan process. These include policies on the natural environment, Local Green Space, heritage and local character, landscape character and National Park setting.

A neighbourhood plan comes into force as part of the relevant local planning authority's statutory development plan once it has been approved at referendum through section 38(a) of the Planning and Compulsory Purchase Act. As per national guidance the neighbourhood plan must then be made by the local planning authority within 8 weeks of the referendum, and that High Peak Borough Council were due to formally 'make' the Plan w/c 22nd January.

The Policy and Communities team therefore asked that the Committee make the Whaley Bridge Neighbourhood Plan part of the Authority's statutory development plan for the Whaley Bridge Neighbourhood Area

A motion to approve the recommendation was proposed, seconded, voted on and carried.

### **RESOLVED:**

**That the Committee makes the Whaley Bridge Neighbourhood Plan part of the statutory development plan for the Whaley Bridge Neighbourhood Area.**

## **13/24 MONITORING & ENFORCEMENT QUARTERLY REVIEW - JANUARY 2024 (A.1533/AJC)**

The report was introduced by the Principal Enforcement Planner who reported that good progress had been made on the recruitment of staff, but there were currently 2 posts that still needed to be filled and the posts were being re-advertised as the initial recruitment process was unsuccessful. The Officer also reported that the performance over the last quarter indicated that we would not meet our annual targets although it had improved since last year. The Officer also reported that the backlog of enforcement cases had been further reduced to around 550 and that this process would continue. A further report on this and the outstanding cases will be brought to Planning Committee in April.

The Officer then gave an update to Members on case 22/0040 at Cressbrook Dale, where the compliance periods on the Enforcement Notice had expired so “works in default” were carried out by the Authority on the 13/14 December 2023 to remove the hardstanding/parking area and tipi and restore the land, which will green over in time. The Officer then showed before and after photographs of the site.

The Officer also gave an update on case 21/0060 for Home Farm, Sheldon in that an application had been made for an injunction at Birmingham High Court and granted. In summary, this requires (1) no further development to take place, and (2) various developments to be removed. However, the second part of the injunction was suspended to allow the submission of a planning application and any subsequent appeal. The landowner had submitted an application which was likely to be validated imminently.

The Officer reported that an Enforcement Notice had been issued at Rocking Stone Farm, Birchover and was due to come into effect on the 30<sup>th</sup> January, but that an appeal had now been submitted so the Enforcement Notice was temporarily suspended until the appeal had been heard.

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

- John Butler, Chair of Cressbrook Community Group

The Chair and Members of the Planning Committee thanked the Cressbrook Community for their kind words and to Officers for pursuing this case.

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

**RESOLVED:**

**To note the report.**

#### **14/24 PLANNING APPEALS- MONTHLY REPORT (A.1536/KH)**

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

**RESOLVED:**

**To note the report.**

The meeting ended at 12.01 pm