

MINUTES

Meeting: **Planning Committee**

Date: Friday 13 January 2012

Venue: The Medway Centre, Bakewell

Chair: Prof J Herbert

Present: Mr P Ancell, Miss P Beswick, Clr Mrs J Bragg, Clr D Chapman,
Clr A Favell, Clr Mrs N Hawkins, Clr H Laws, Mr G Nickolds,
Mr C Pennell, Clr Mrs K M Potter, Clr P Raynes, Clr Mrs L C Roberts,
Clr Mrs J A Twigg, Clr Mrs J Wharmby.

Apologies for Absence: Ms S Leckie

1/12 CHAIR'S ANNOUNCEMENTS

The Chair reminded the meeting that under the Authority's Public Participation Scheme, repetition should be avoided by speakers if possible.

The Chair expressed thanks to Officers who had worked on creating the new planning pages on the Authority website. He urged members of the public to examine the pages and feed back their views.

Clr Chris Furness had recently been elected to Derbyshire Dales District Council and his term as an Authority Member had ended. The Chair thanked him for his valued work for the Authority during that term and congratulated him on his new role.

2/12 MINUTES

The minutes of the meeting held on 9 December 2011 were approved as a correct record, subject to the following amendment:

Mr Christopher Pennell had declared a personal interest in Items 7.6 to 7.10 inclusive as Chair of the Heritage Lottery Fund East Midlands Committee.

3/12 MATTERS ARISING ON THE MINUTES

MINUTES 139/11 and 156/11

The Head of Planning reported that the appeal hearing had been postponed as the Planning Inspectorate were awaiting clarification on the probate arrangements for the appellant.

4/12 PUBLIC PARTICIPATION

The Chair reported that 33 members of the public were present to speak under the Public Participation Scheme.

5/12 MEMBERS' DECLARATION OF INTERESTS

The following Members declared an interest in an item on the agenda:

Item 7.1 Former Dairy Crest Creamery site, Hartington

Clr Mrs K Potter, personal interest as a member of the Campaign for the Protection of Rural England (CPRE).

Clr D Chapman, personal and prejudicial interest as Ward councillor for Hartington and as an objector to the application.

Mr C Pennell, personal interest as a member of Friends of the Peak District (FOPD).

Item 7.2 Hill Top Farm, Parwich

Clr Mrs K Potter, personal interest as a member of the Campaign for the Protection of Rural England (CPRE) and she had received an email from Clr Fitzherbert.

Clr D Chapman, personal interest and he had received an email from Clr Fitzherbert.

Mr C Pennell, personal interest as a member of Friends of the Peak District (FOPD) and he had received an email from Clr Fitzherbert.

Item 7.3 Mount Pleasant Court, Grindleford

Clr Mrs K Potter, personal interest as a member of the Campaign for the Protection of Rural England (CPRE).

Mr C Pennell, personal interest as a member of Friends of the Peak District (FOPD).

Item 7.4 Mount Pleasant Road, Grindleford

Clr Mrs K Potter, personal interest as a member of the Campaign for the Protection of Rural England (CPRE).

Mr C Pennell, personal interest as a member of Friends of the Peak District (FOPD).

Item 7.6 Home Farm, Sheldon

Prof J Herbert, prejudicial interest as Chair of Sheldon Parish Meeting and resident of Sheldon.

Item 7.7 Land opposite Crawshaw Lodge, Hollow Meadows

Clr Mrs K Potter, personal as she had received emails from members of the Jewish community.

Item 7.10 Monitoring & Enforcement Quarterly Review – Home Farm, Sheldon

Prof J Herbert, prejudicial interest in the item in the report relating to Home Farm , Sheldon, as he is Chair of Sheldon Parish Meeting and resident of Sheldon

It was noted that all Members present had received emails about Item 7.10.

HEAD OF PLANNING SERVICE

The Head of Planning Service reported that Items 7.7 and 7.9 had been deferred for Officers to seek further information.

6/12 1. OUTLINE APPLICATION – RESIDENTIAL, EMPLOYMENT AND COMMUNITY DEVELOPMENT PLUS ANCILLARY LANDSCAPING AND INFRASTRUCTURE ELEMENTS, FORMER DAIRY CREST CREAMERY SITE, STONEWELL LANE, HARTINGTON (NP/DDD/0911/0896 P.5155 412534/360474 19/12/11/SF)

It was noted that Members had visited the site on the previous day.

The Officer reminded the meeting that the plans were indicative only and stated that additional conditions could be added in the event of this application being approved.

Natural England objected on the grounds that there had been an insufficient survey of protected species; however the Authority's ecologists regarded an in-depth survey as more appropriate at a later stage because of the potential for significant changes in the proposals.

The following Members had made declarations of interest in this item: Cllr D Chapman, personal and prejudicial interest as Ward councillor for Hartington and as an objector to the application, Mr C Pennell, personal interest as a member of Friends of the Peak District (FOPD) and Cllr Mrs K Potter, personal interest as a member of the Campaign for the Protection of Rural England (CPRE).

The following members of the public made representations under the Authority's Public Participation Scheme:

- Cllr David Chapman, Authority Member and Derbyshire Dales District Councillor, Objector
- Mr John King, Friends of the Peak District, Objector
- Mr David Annat, Chair of Hartington Parish Council
- Mr Keith Broadbent, Resident of a neighbouring Parish and Objector
- Mrs Julie Critchlow, Local Resident and Objector
- Mr Ron Critchlow, Local Resident and Objector
- Ms Janet Wigley, Local Resident and Objector
- Ms Margaret Partridge, Local Resident and Objector
- Cllr Alan Grindey, parish councillor, Objector and resident of Hartington
- Mr David Young, Local Resident
- Mrs Lesley Veit, Objector and resident of Hartington
- Ms Janet Bray, Objector and resident of Hartington
- Mr Geoff Howden, Objector and resident of Hartington
- Mr John B Dean FCILT, Objector and resident of Hartington, Chairman of the Board of Governors at Hartington CofE Primary School
- Mr Robert Gregory, Objector and resident of Hartington
- Ms Liz Broomhead, Parish Councillor and objector
- Mr Richard Craven, Objector and resident of Hartington, Parish Councillor and School Governor
- Mrs Kate Craven, Objector and resident of Hartington
- Mr Ken Poole, Objector and resident of Hartington
- Dr Chris Dullage, Objector and resident of Hartington, Vice Chairman of The Parish Council and a member of the Parochial Church Council.
- Mr Sebire, Local Resident
- Cllr Simon Spencer, Derbyshire County Councillor for Dovedale Division
- Ms Isabel Frenzel, Rural Housing Enabler, Derbyshire Dales District Council, Supporter

- Ms Louise Brooke-Smith, Agent

Officers provided feedback on points raised by speakers and clarified matters highlighted in the report.

A motion to defer the application to enable the provision of more detail was seconded. Following further debate, the mover asked to withdraw this motion and this was done with the seconder's agreement.

A motion to refuse the application for the reasons shown below was then moved, seconded, voted upon and carried.

RESOLVED:

That the application be REFUSED, for the following reasons:

- 1. The scale of the proposed development is out of keeping with the size of the village of Hartington, damaging to the Conservation Area and the National Park.**
- 2. Insufficient enhancement achieved against Policy HC1.**

The meeting adjourned for lunch at 1.45pm and reconvened at 2.15pm.

Chair: Prof J Herbert

Present: Mr P Ancell, Miss P Beswick, Clr Mrs J Bragg, Clr D Chapman, Clr A R Favell, Clr Mrs N Hawkins, Clr H Laws, Mr G Nickolds, Mr C Pennell, Clr Mrs K M Potter, Clr Mrs L C Roberts, Clr Mrs J A Twigg, Clr Mrs J Wharmby.

7/12 2. FULL APPLICATION - ERECTION OF A SINGLE WIND TURBINE AND STONE BUILT PLANT ROOMS, HILL TOP FARM, PARWICH (NP/DDD/0911/0933, P.3391, 418946/ 355455 19/12/2011/CF)

The Head of Law reminded the meeting that personal interests had been declared in this item by Clr D Chapman, Mr C Pennell as a member of Friends of the Peak District and Clr Mrs K Potter as a member of Campaign for the Protection of Rural England (CPRE). All three Members had received an email from Clr Fitzherbert.

It was noted that Members had visited the site on the previous day.

The Planning officer amended the second recommendation of the report to state 'the adverse effects on the National Park set out in reason one that would arise from the erection of the proposed wind turbine would not otherwise be outweighed by the environmental, social and economic benefits of allowing the proposals'.

The Planning officer reported that Natural England had withdrawn their objections to the application. She also reported the receipt of a late representation in support of the application from Clr Andrew McCloy and this was summarised for the Committee.

The following spoke under the public participation at meetings scheme:

- Mr Gez Willard, Town and Country Planner, supporter
- Mr John Youatt, supporter
- Mr R Gosling, Applicant.

In response to Member queries it was clarified that Natural England had withdrawn their ecological objections but that visual objections still remained.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposed development conflicts with the provisions of policy CC2 of the Core Strategy and Local Plan policy LU4 because the proposed turbine and associated mitigation measures would adversely affect landscape character and cultural heritage assets, and harm the scenic beauty of the National Park.**
- 2. The adverse effects on the National Park set out in reason 1 that would arise from the erection of the proposed wind turbine would not otherwise be outweighed individually or cumulatively by the environmental, social and economic benefits of allowing the proposals**

The meeting adjourned for a short break at 3.15pm and reconvened at 3.20pm.

Clr Mrs N Hawkins left the meeting during the break.

8/12 3. FULL APPLICATION - DEMOLITION OF 12 SHELTERED FLATS AND ONE HOUSE AND THE ERECTION OF FOUR AFFORDABLE HOUSES, MOUNT PLEASANT COURT, GRINDLEFORD (NP/DDD/1111/1153, P.1237, 17.11.11, 424246 377601/CT)

The Head of Law reminded the meeting that personal interests had been declared in this item by Mr C Pennell as a member of Friends of the Peak District and Clr Mrs K Potter as a member of Campaign for the Protection of Rural England (CPRE).

The Planning officer amended the recommendation of the report to include two footnotes covering ecological recommendations and the highways advisory note.

The following spoke under the public participation at meetings scheme:

- Isabel Frenzel, Rural Housing Enabler, Derbyshire Dales District Council, supporter
- Simon Henderson, Senior Architect, Design Department, Nottingham Community Housing Association Ltd on behalf of the applicants.

The recommendation for approval subject to conditions and the additional footnotes was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions and the prior completion of a S.106 legal obligation relating to affordability/local needs.

- 1. Standard 3-year time limit for implementation.**
- 2. Adopt amended plans received on 20 December 2011.**
- 3. Withdraw permitted development rights for alterations, extensions, porches, ancillary buildings, walls and fences.**

4. Use of facing materials and agree sample panel.
5. Control of design details.
6. Implementation of submitted tree planting proposals.
7. Approval and implementation of hard landscaping details.
8. Highway conditions as recommended.

Footnotes:

1. Ecological recommendations
2. Highways advisory note

9/12 4. FULL APPLICATION - THE ERECTION OF 6 NEW HOUSES AND 2 NEW FLATS FOR AFFORDABLE RENT, MOUNT PLEASANT ROAD, GRINDLEFORD (NP/DDD/1111/1180, P.1237, 22.11.11, 424249 377518/CT)

The Head of Law reminded the meeting that personal interests had been declared in this item by Mr C Pennell as a member of Friends of the Peak District and Cllr Mrs K Potter as a member of the Campaign for the Protection of Rural England (CPRE).

The Planning officer amended the recommendation of the report to include a footnote covering the Highway Authority's advisory notes.

The following spoke under the public participation at meetings scheme:

- Isabel Frenzel, Rural Housing Enabler, Derbyshire Dales District Council, supporter
- Simon Henderson, Senior Architect, Design Department, Nottingham Community Housing Association Ltd on behalf of the applicants.

The recommendation for approval subject to conditions and the additional footnote was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions and the prior completion of a S.106 legal obligation relating to affordability/local needs.

1. Standard 3-year time limit for implementation
2. Adopt amended plans received on 21 December 2011
3. Withdraw permitted development rights for alterations, extensions, porches, ancillary buildings, walls and fences.
4. Use of facing materials and agree sample panel of stonework
5. Control of design details
6. Implementation of submitted tree planting proposals.
7. Approval and implementation of hard landscaping details.
8. Highway conditions as recommended

Footnote – Highway Authority advisory notes including the signage of the refuse turning area.

10/12 5. FULL APPLICATION – CHANGE OF USE FROM ESTATE AGENT TO ICE CREAM PARLOUR. 3 MATLOCK STREET, BAKEWELL (NP/DDD/1011/1094, P.4959 19/10/2011 421805/368432/AM)

Clr Mrs Potter requested that if the application was approved that officers sent an explanation of the reasons for the decision to Bakewell Town Council due to the nature of their objection.

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit.**
- 2. In accordance with the submitted details.**
- 3. The hours of opening of the use hereby permitted shall be restricted to 09:00 to 19:00 hours on any day.**
- 4. No deliveries, loading, unloading or other servicing activities shall take place at the site other than between the hours of 08:00 to 18:00 hours Monday to Friday, 09:00 to 13:00 hours on Saturday and not at all on Sundays.**

11/12 6. FULL APPLICATION – COURTYARD DEVELOPMENT OF 10 ROOMS FOR THE GUEST HOUSE AND CHANGE OF USE FROM FIELD AND STORAGE, HOME FARM, SHELDON (NP/DDD/1011/1114, P.11157 & P.11298, 16/12/2011, 417588/368797/CF)

It was noted that Members had visited the site on the previous day.

The Head of Law reminded the meeting that a prejudicial interest had been declared in this item by Prof J Herbert as Chair of Sheldon Parish Meeting and resident of Sheldon. Prof Herbert therefore vacated the Chair and left the room. Mr P Ancell took the Chair for this item.

It was noted that the application had been brought to the Committee due to requests from two Members.

The Planning officer reported the receipt of an update from Sheldon Parish Meeting and this was summarised for the Committee.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposals constitute new build holiday accommodation in open countryside but the proposals do not offer any significant benefits or substantial enhancement to the character, appearance or amenities of the local area contrary to policy RT2 and policy GSP2 of the Authority's Core Strategy.**

2. The design of the proposed development is insensitive to the locally distinctive pattern of development and insensitive to the agricultural character of the application site and surrounding area. Therefore, the current application fails to meet the requirements of Local Plan policies LC4 and LC5, and policy GSP3 of the Authority's Core Strategy.
3. The proposed development would fail to preserve the special qualities of the surrounding Conservation Area and would harm the landscape setting of Home Farm. Therefore, the current application conflicts with Local Plan policies LC4 and LC5 and policy L1 and policy L3 of the Authority's Core Strategy.

Mr P Ancell vacated the Chair and Prof J Herbert returned to the room and took the Chair.

12/12 8. FULL APPLICATION – CONSERVATORY EXTENSION AT SPRINGFIELD FARM, POT HOOKS LANE, BUTTERTON (NP/SM/1111/1126, P2066, 01/11/2011, 407533/356057/ALN)

The Planning officer amended the recommendation of the report by amending condition one to state 'to be implemented within 3 years' and adding an extra condition, number 5 stating permitted development rights would be removed.

The recommendation for approval subject to conditions was moved, seconded, voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. To be implemented within 3 years.
2. Adopt amended plans.
3. Roof to be constructed using clear glass.
4. Base plinth to match existing stonework.
5. Permitted Development Rights removed

13/12 10. MONITORING AND ENFORCEMENT QUARTERLY REVIEW – JANUARY 2012 (A.1533/AJC)

The Head of Law reminded the meeting that as Prof J Herbert had declared a prejudicial interest in the part of the report relating to Home Farm, Sheldon, as Chair of Sheldon Parish Meeting and resident of Sheldon, he would leave the meeting if Members wished to have any discussion on that item.

The Head of the Planning service reminded members that these quarterly reports were to provide a progress report on priority cases and were not for detailed examination of cases.

The Monitoring and Enforcement Team Manager gave the following updates on high priority cases:

- **4. Lower Westhills Farm, Winster** – use of land for storage of vehicles, machinery and scrap, siting and residential use of portacabin and erection of buildings: due to a court admin error the directions hearing scheduled for 4 January 2012 had been cancelled and had been re-scheduled for 26 January.
- **7. Home Farm, Sheldon** – storage of caravans, excavations and erection of building and erection of lampposts: the enforcement notice regarding the lampposts had been issued on 21 December 2011.
- **8. Fernhill Cottage, Hollow Meadows** – engineering operations and partial erection of building: the next prosecution hearing is scheduled for 9 February 2012. A planning application for a garage/store and change of use of woodland to access and parking had been received on 22 December 2011. Officers were now considering the approach on the prosecution case.

The Monitoring and Enforcement Team Manager also amended the report appendix under the heading 'Enforcement Notices or other formal notices served' by reporting the following additional notices served:

- Two enforcement notices and a section 215 notice served at the Old Bull's Head, Little Hucklow.

Prof J Herbert vacated the Chair and left the room while a query relating to Home Farm, Sheldon was discussed. He then returned to the room and took the Chair.

RESOLVED:

That the report be noted

HEAD OF LAW

14/12 PLANNING APPEALS (A.1536/AMcC)

The Chair reminded the meeting that representations under the Public Participation Scheme should be confined to the subject matter of the relevant report.

The following spoke under the public participation at meetings scheme:

- Mr J Youatt with regard to Rakes End, Middleton by Youlgrave.

RESOLVED:

That the report be received.

15/12 EXEMPT INFORMATION S100 (A) LOCAL GOVERNMENT ACT 1972 EXCLUSION OF THE PRESS AND THE PUBLIC

RESOLVED:

That the public be excluded from the meeting during consideration of Agenda Item No. 10 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 3 “Information relating to the financial or business affairs of any particular person, (including the Authority holding that information)” and Paragraph 6 “Information which reveals that the Authority proposes — a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment”.

16/12 EXEMPT MINUTES OF THE PLANNING COMMITTEE

RESOLVED:

That the exempt minutes of the Planning Committee meeting held on 9 December 2011 be approved as a correct record.

The meeting concluded at 4.45 pm.