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PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 13 June 2017 at 6.00pm at Council Chamber, Town Hall, Matlock.

PRESENT

Councillor Garry Purdy - In the Chair

Councillors Jason Atkin, Sue Burfoot, Tom Donnelly, Graham Elliott, Helen Froggatt, Neil Horton, Jean Monks, Tony Morley, Peter Slack, Andrew Statham and Joanne Wild.

Jon Bradbury (Development Manager), Gareth Griffiths (Senior Planning Officer), Katie Hamill (Solicitor) and Jackie Cullen (Committee Assistant).

23 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Susan Bull, Albert Catt, Richard FitzHerbert, Tony Millward BEM and Lewis Rose OBE. Councillors Helen Froggatt, Neil Horton, Jean Monks and Andrew Statham attended as Substitute Members.

17/17 – MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

RESOLVED That the minutes of the Planning Committee meeting held on 9 May (unanimously) 2017 be approved as a correct record.

The Minutes were signed by the Chairman.

18/17 – APPLICATION NO. 16/00889/FUL – ALTERATIONS TO APPROVED STORAGE BUILDING (RETROSPECTIVE) AT SUNNYSIDE FARM, WHITELEA LANE, TANSLEY

The Committee visited the site prior to the meeting to allow Members to assess the impact of the development on the landscape.

The Chairman advised that items 4.1 and 4.2 on the Agenda would be dealt with together in terms of representations. Therefore, in accordance with the procedure for public participation, Mrs Vicki Raynes (Tansley Parish Council) commented on the application; Mr Nick Sibley (representing tenant) spoke for the applications, and Mr John Millhouse (Agent) spoke in favour of the applications.

It was moved by Councillor Peter Slack, seconded by Councillor Tony Morley and

RESOLVED That planning permission be granted subject to the conditions set out in
(Unanimously) the report.

19/17 – APPLICATION NO. 16/00890/FUL – USE OF BUILDING FOR B8 (STORAGE/DISTRIBUTION) AT SUNNYSIDE FARM, WHITELEA LANE, TANSLEY

The Committee visited the site prior to the meeting to allow Members to view the extent of the business operations and assess the impact on highway safety and neighbour amenity.

It was moved by Councillor Sue Burfoot, seconded by Councillor Peter Slack and

RESOLVED That planning permission be refused for the reasons set out in the report.

Voting:

For	10
Against	2
Abstentions	0

The Chairman declared the motion carried.

20/17 – APPLICATION NO. 16/00772/FUL – PARTIAL REBUILD AND ALTERATIONS OF THE MALTINGS TO CREATE 4 DWELLINGS, ERECTION OF 7 DWELLINGS AND 2 APARTMENTS AND ACCESS BRIDGE AT THE MALTINGS, BAILEYS MILL, LUMSDALE ROAD, MATLOCK

Councillor Jason Atkin left the meeting at 6.55pm during discussion of this item.

The Committee visited the site prior to the meeting to allow Members to assess the impact of the development on the special historic character and appearance of the listed building and the impact on the setting of the listed buildings, highway matters and neighbours' amenity.

The Senior Planning Officer advised that the results of the bat surveys were outstanding and to be clarified, but on the basis that these results were acceptable, it was understood that Derbyshire Wildlife Trust would not have any objection to the application.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised comments from the Environment Agency, with a recommended extra condition regarding flood risk, as follows:

27. The development permitted by this planning permission shall be carried out in accordance with the approved Amended Flood Risk Assessment (FRA) 12th May 2015/ MAL00635/FR1 / Jackson purdue lever and the Scheme Development Site Plan 20th August 2016 / 1564-2015-01A / Montague Architects Ltd, and the following mitigation measures detailed within the FRA:

- (i) Finished floor levels in all the dwellings are set no lower than 103.91m above Ordnance Datum (AOD), as stated in Section 4.1 Flooding from Rivers (Fluvial) of the approved Amended Flood Risk Assessment (FRA) listed above;
- (ii) The new access bridge is to have a soffit level no lower than 103.53 to allow sufficient freeboard and the abutments are located outside the flood zone indicated, as stated in Section 4.1 Flooding from Rivers (Fluvial) of the approved Amended Flood Risk Assessment (FRA) listed above.

Reason

1. To reduce the risk of flooding to the proposed development and occupants, to avoid disruption in the future due to flooding and to ensure safe access and egress from and to the site to comply with the Government Guidance contained in the National Planning Policy Framework.

In accordance with the procedure for public participation, Mr Geoffrey Dean (Local Resident) spoke against the application and Mr Paul McLocklin (Agent) spoke in favour of the application.

It was moved by Councillor Tony Morley, seconded by Councillor Jean Monks and

RESOLVED The planning permission be granted subject to the conditions set out
(Unanimously) in the report.

21/17 – APPLICATION NO. 16/00773/LBALT – PARTIAL REBUILD AND ALTERATIONS AT THE MALTINGS, BAILEYS MILL, LUMSDALE ROAD, MATLOCK

The Committee visited the site prior to the meeting to allow Members to assess the impact of the development on the special historic character and appearance of the listed building and the impact on the setting of the listed buildings, highway matters and neighbours' amenity.

It was moved by Councillor Tom Donnelly, seconded by Councillor Peter Slack and

RESOLVED That listed building consent be granted subject to the conditions set out
(unanimously) in the report.

22/17 – APPLICATION NO. 17/00255/FUL – RECONSTRUCTION OF LOWER GARDEN TERRACE (PART RETROSPECTIVE) AT 11 NEW ROAD, BOLEHILL

The Committee visited the site prior to the meeting to allow Members to assess the impact of the development upon the neighbouring resident.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised a note of concerns raised by the neighbouring resident regarding the wording of the proposed conditions. Condition 1 would be modified for clarification and Condition 2 had been modified to remove any reference to the upper terrace which remained an unauthorised structure.

In accordance with the procedure for public participation, Ms Gillian Roth (Neighbour) spoke against the application and Nicola Hill (Applicant) spoke in favour of the application.

It was moved by Councillor Tony Morley, seconded by Councillor Tom Donnelly and

RESOLVED That planning permission be granted subject to the conditions set out in the report, with Conditions 1 and 2 modified as follows:

1. Within the first planting season following the determination of this application a beech hedge shall be planted along the western boundary of the lower garden terrace as detailed on the submitted landscaping plan. The hedge shall be maintained and restocked as a substantial hedge as necessary and maintained to a height of at least 1.8m when measured from the top of the adjacent wall to the lower terrace.
2. The facing of the walling to the lower garden terrace shall be of a natural coursed stone unless otherwise agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Voting:

For	10
Against	1
abstentions	0

The Chairman declared the motion carried.

23/17 – APPLICATION NO. 16/00164/OUT – RESIDENTIAL DEVELOPMENT FOR UP TO 14 DWELLINGS (OUTLINE) AT WIRKSWORTH HALL FARM, WASH GREEN, WIRKSWORTH

The Committee was advised that this application had been withdrawn.

24/17 – APPLICATION NO. 17/00088/FUL – SINGLE TWO STOREY EXTENSION AT ROTHERWOOD HOUSE, DALE ROAD SOUTH, DARLEY DALE

The Committee visited the site prior to the meeting to allow Members to view the impact on the amenities of neighbouring residents.

The Development Manager advised the Committee that no condition had been included requiring approval of the external materials. Given the nature of the existing local stonework, an extra condition would therefore be put in place requiring that approval of external materials was to be given prior to any works being undertaken.

In accordance with the procedure for public participation, Ms Jean Knebel, Mr Jeremy Knebel, Mrs Rachel Khub (local resident) spoke against the application, and Mr Christopher Jesson (Planning Consultant for the Applicant) spoke in favour of the application.

It was moved by Councillor Peter Slack, seconded by Councillor Andrew Statham and

RESOLVED That planning permission be refused for the following reasons:

Reasons

That the proposed development would result in an overbearing impact

Voting: on the amenity of the neighbouring property, and was harmful to the character and appearance of the area.

For 2
Against 9
Abstentions 0

The Chairman declared the motion defeated.

It was then moved by Councillor Tony Morley, seconded by Councillor Jean Monks and

RESOLVED That planning permission be granted, subject to the conditions set out in the report, with an additional condition as follows:

4. Prior to commencement of development, samples of external materials shall be submitted to the local planning authority for approval. The proposed development shall then be carried out in accordance with the approved details.

Voting:

For 9
Against 2
Abstentions 0

The Chairman declared the motion carried.

25/17- INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

RESOLVED That the report be noted.
(unanimously)

26/17 - APPEALS PROGRESS REPORT

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 7.34PM

CHAIRMAN