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PLANNING COMMITTEE

Minutes of a Planning Committee meeting held at 6.00pm on Tuesday 8th March 2022 at in the Council Chamber at the Town Hall, Matlock DE4 3NN.

PRESENT

Councillor Jason Atkin - In the Chair

Councillors: Robert Archer, Sue Bull, Sue Burfoot, Neil Buttle, Helen Froggatt, Graham Elliott, Richard Fitzherbert, Clare Gamble, Stuart Lees, Garry Purdy, and Peter Slack.

Chris Whitmore (Development Manager), Sarah Arbon (Senior Planning Officer), Gareth Griffiths (Senior Planning Officer) Kerry France (Principal Solicitor), Jim Fearn (Communications and Marketing Manager), Tommy Shaw (Business Support Assistant) and Lucy Harrison (Democratic Services Assistant).

Members of the Public - 26

APOLOGIES

Apologies for absence were received from Councillor Peter O'Brien and Councillor Tom Donnelly (substitute Councillor Helen Froggatt).

313/21 - INTERESTS

Item 5.1 – Application No. 21/01485/FUL

Councillor Richard Fitzherbert asked that it be noted that though he did use the facilities at the applicant's home prior to the site visit, he and the applicant did not discuss the application prior to the arrival of the remaining Committee Members.

314/21 - MINUTES

It was moved by Councillor Jason Atkin, seconded by Councillor Richard Fitzherbert and

RESOLVED
(unanimously)

That the minutes of the Planning Committee meeting held on 8th February 2022 be approved as a correct record.

Note:

“Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council’s Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document.”

**315/21 - APPLICATION NO. 21/01485/FUL (Presentation and Site Visit)
Single storey extension at The Lodge, Farley Hill, Matlock, Derbyshire, DE4 3LL.**

In accordance with the procedure for public participation, Mr Roger Yarwood (Agent) spoke in support of the application

The Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

Consultation responses were set out in section 5 of the report.

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

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

The Chairman declared the motion **CARRIED**.

**316/21 - APPLICATION NO. 21/01352/FUL (Presentation and Site Visit)
Erection of storage building (B8 Use) with parking area and vehicular access at Land to the East of Gold Close, Darley Bridge.**

In accordance with the procedure for public participation, Mr Jon Best (Applicant), Mr Peter Astles (Local Resident) and Mr Gary Edwards (Rapid Horizons Employee) spoke in support of the application. Ms Jane Wallace (Local Resident), Mr Stephen Coates (Local Resident) and Mr Martin Seddon (Local Resident) spoke against the application.

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

Consultation responses were set out in section 5 of the report.

In line with the Council’s procedure for direct public participation, late representations received from the public, in accordance with the criteria set out in the agenda, were published on the District Council website together with Officer responses and are set out below:

Following publication of the agenda:

Councillor Colin Swindell

Had hoped to be at the meeting to speak to the application but personal circumstances do not allow. The officer recommendation is to approve this application. As the ward member for Darley Bridge, I am asking that you to listen to the concerns of my constituents by overturning the recommendation and refuse planning permission. I have briefly laid out the reasons for doing so.

These are significant and serious reasons for refusal. I hope you will take them on board and consider/debate them carefully at the meeting.

Reasons for refusal...

1. There is strong, local opposition to this application. A total of 35 objections have been submitted with many coming from Darley Bridge residents.
2. South Darley Parish Council and 2 rambler/footpath organisations have raised serious concerns about the application and are opposed to development in this area.
3. The development would be on a greenfield site which is outside do the settlement boundary as outlined in the current Local Plan. Development here would set a precedent for future development in the open countryside in this area.
4. The development site lies within flood zone 2. This parcel of land regularly floods and I saw for myself that the area was completely submerged during the recent floods of February 2022 - as well as numerous times in the past.
5. Access to the site is only possible from Darley Bridge and along Wenslees. This is a quiet, single track, narrow country lane which leads to a small number of properties, allotments and farm fields. The development would inevitably lead to an increase in traffic and Wenslees cannot accommodate this. The lane is not suitable and has no passing places which will lead to damage to the verges and grass banks.
6. Wenslees is often congested due to large numbers of walkers visiting the area and parking their cars along Wenslees. This means access is often restricted and the road congested. Any increase in vehicles will only further impact the problems already experienced by local people when attempting to park or pass through. This will also create a problem from emergency services access.
7. The proposed car park only provides spaces for 6 vehicles. This will not alleviate the parking problems along Wenslees but compound them. It will encourage greater numbers of users and vehicle to the site who will park along and damage the banks and grass verges.
8. The parish council, Ramblers Association and the Peak and Northern Footpaths Association have all commented that the plans do not show the presence of footpath 17 which lies directly adjacent to the development site. Development this close to the

footpath is unacceptable and I believe that the new access drive would cross over the path. This needs to be questioned and clarified.

9. From what I have read, the report before members states that the Environment Agency have no major objections to the development. A letter of representation from the EA dated 7 January 2022 states that they oppose the development for the following reasons.

The proposed development is located adjacent to a flood defence (type wall) operated and maintained by the Environment Agency. However, the FRA does not present any findings in relation to the likely impacts of the development on the adjacent flood defence and more specifically, key information, listed below, are missing:

- *The distance between the proposed storage building and the flood defence.*
- *The distance between the proposed car park spaces (no 1, no 2 and no 3) and the flood defence.*
- *Clarifications as to whether there will be any fences or other structure(s) installed within the site boundary and along the flood defence*

*This set of information was requested in December 2021 but it has not been issued. As a result, we have to **object** to this planning application.*

10. The applicant claims that the development will be in-keeping with surrounding buildings. This is very difficult to judge as there are no buildings nearby. Development here, in the open countryside and on agricultural land, would be an intrusion and harm to the rural setting and character of the area.
11. The plans indicate that this is a storage unit. The inclusion of toilets, showers and changing rooms indicate that the facility is to be used as a 'base' or operational hub for Rapid Horizons' activities. This will lead to increased numbers of people creating a disturbance to a peaceful and tranquil countryside setting. It will also impact on the neighbouring properties at Wenslees.
12. The applicant claims there will be little disturbance or noise nuisance for nearby residents. My constituents already experience noise and disturbance from their activities and any development in this area will only further impact on their quality of life when at home or in their gardens.
13. The applicant states that the proposed opening time will be until 4pm. I find this hard to believe as their activities already gone on way past this time.
14. Darley Bridge itself is a busy and congested part of the highway with HGVs travelling to and from BJ Waters and HJ Enthoven continuously throughout the day. This is a dangerous road and the highway is not equipped to deal with such vehicle movements. The community have constantly raised concern over highway safety with DCC, but after years of being ignored it tragically resulted in a death a couple of years ago when a pedestrian was hit by a HGV. There should be no further development that will encourage more traffic.

15. The activities of Rapid Horizons' and other similar groups have damaged the local ecology and riverbanks. There appears to be no structure to their activities or constraints as to where they launch their craft. Any increase in these activities will only cause further damage.
16. Local angling clubs have raised many serious concerns over the development and the possible increase in activities by Rapid Horizons. I ask members to read these carefully in the report and take them into consideration.

Thank you for reading this brief summary of objections. I can say hand on heart that the above points are serious, genuine and accurate.

As ward member, I ask you to support my residents in Wenslees and Darley Bridge by refusing planning permission.

RESPONSE:

Officers would make the following comments on the points raised:

Point 1

There are a total of 23 letters of objection and 12 letters of support giving a total of 35 letters. This is an Officer error in compiling the report.

Points 2 and 3

Noted in Officer's report. Policy S4 advises:

Outside defined settlement development boundaries.....Planning permission will be granted for development where:

b) It represents the sustainable growth of tourism or other rural based enterprises in sustainable locations where identified needs are not met by existing facilities.....

e) It involves development associated with sport and recreational uses in accessible locations and least environmentally sensitive locations.

Point 4

Noted – refer to Point 9

Points 5, 6 and 7

Vehicles can currently park on Wenslees in order for participants to access the River Derwent. However, the applicant advises that, in most circumstances, the customers park where the canoeing/rafting finishes in Matlock Bath and they are brought to Darley Bridge. The car parking spaces are proposed largely for staff members and for trailers to move the canoes/rafts to and from the site.

Point 8

The submitted drawings detail the line of the public footpath and that the building and its compound do not encroach on it. Whilst the vehicle access would cross the line of the footpath, there would be no fencing obstructing the line of the footpath.

Point 9

Additional information was submitted by the applicant and the Environment Agency raised no objection on that basis – see consultation response in the Officer's report.

Point 10

Officers consider the building, of profile sheet facing, would be reflective of an agricultural building and being of similar materials to the archery club building to the south west of the site which can currently be seen contextually with the application site.

Point 11

Toilet and changing room facilities are considered reasonably ancillary to the main operation of the building, which is for the purpose of storing the canoes/rafts and providing facilities for members of staff, or for customers as needed.

Point 12

Whether the building is approved or not, any noise currently generated will continue given that the launch area is currently used and is likely to be used in the future. The rafting is an escorted activity and the applicant has advised that they seek to control excessive noise.

Point 13

The activities will only take place during daylight hours so it is unlikely that the use of the building will cause disturbance to such an extent that could be deemed of significant harm to local residents.

Point 14

DCC has raised no objection. The vehicles associated with the proposed development would be parked within their own parking spaces rather than on Wenslees or elsewhere in the village.

Point 15

There is a clear point of launch on unregistered land close to the application site which can be used by anyone wishing to launch a canoe/raft, etc.

Point 16

The use of the river has not been demonstrated to be solely for use by anglers. Notwithstanding this planning application, Rapid Horizons have, and will continue to, use the river for their business

It was moved by Councillor Richard Fitzherbert, seconded by Councillor Garry Purdy and

RESOLVED That planning permission be approved subject to the conditions set out in the report.

Voting:

For	8
Against	3
Abstention	0

The Chairman declared the motion **CARRIED**.

The Senior Planning Officer left the meeting at 7:20pm.

**317/21 - APPLICATION NO. 21/01283/FUL (Presentation and Site Visit)
Change of use from hotel (C1 Use) to children’s residential education and adventure centre at Willersley Castle Hotel, Mill Road, Cromford.**

In accordance with the procedure for public participation, Mr Peter Astles (Local Resident), Mr Roger Yarwood (Agent), Mr Rob Miller (Applicant) and Mr Rob Dyer (British Mountaineering Council) spoke in favour of the application. Mr Doug Allen (Local Resident) made comment on the application.

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

Consultation responses were set out in section 5 of the report

It was moved by Councillor Garry Purdy, seconded by Councillor Richard Fitzherbert and

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

The Chairman declared the motion **CARRIED**.

**318/21 - APPLICATION NO. 21/01521/FUL (Presentation and Site Visit)
Replacement windows and erection of detached garage at Buxton House, Main Street, Kirk Ireton, Derbyshire, DE6 3JP.**

In accordance with the procedure for public participation, Councillor Richard Bright (Ward Member), Mr Simon Pickering (Local Resident), Mr Julian Goulder (Local Resident) and Mr John Ralfe (Local Resident) spoke against the application.

The Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

Consultation responses were set out in section 5 of the report

It was moved by Councillor Garry Purdy, seconded by Councillor Richard Fitzherbert and

RESOLVED That planning permission be approved subject to the conditions set out in the report and the additional conditions as set out below:

12. No works to the superstructure of the building hereby approved shall commence until details of the finished floor and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason:

To protect the amenities of the occupants of adjoining properties and the appearance of the area in accordance with Policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

13. Condition 13: Prior to the first use of the building hereby approved details of the use of the workshop and any measures to prevent noise breakout from such use shall be submitted and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented in full before the development is brought into use and retained for the life of the development.

Reason:

In the interests of protecting the amenity of the occupants of

nearby dwellings in accordance with Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

Voting:

For	9
Against	0
Abstention	2

The Chairman declared the motion **CARRIED**.

**319/21 - APPLICATION NO. 21/01474/FUL (Presentation and Site Visit)
Two storey side extension at 1 Pine Croft, Ashbourne.**

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

Consultation responses were set out in section 5 of the report

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

RESOLVED That planning permission be approved subject to the conditions set out in the report.

Voting:

For	9
Against	0
Abstention	2

The Chairman declared the motion **CARRIED**.

Councillor FitzHerbert left the meeting at 8:45pm.

320/21 - INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

It was moved by Councillor Jason Atkin seconded by Councillor Stuart Lees and

RESOLVED That the report be noted.
(unanimously)

321/21 - APPEALS PROGRESS REPORT

It was moved by Councillor Jason Atkin seconded by Councillor Sue Burfoot and

RESOLVED That the report be noted.
(unanimously)

Meeting Closed 8:50PM

Chairman