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## **PLANNING COMMITTEE**

**Minutes of a Meeting held on Tuesday 8 October 2019 at 6.00pm at Council Chamber, Town Hall, Matlock.**

### **PRESENT**

Councillor Jason Atkin - In the Chair

Councillors Robert Archer, Richard Bright, Matthew Buckler, Sue Bull, Sue Burfoot, Tom Donnelly, Richard FitzHerbert, David Hughes, Stuart Lees, Joyce Pawley, Garry Purdy and Peter Slack.

Chris Whitmore (Principal Planning Officer), Sarah Arbon (Senior Planning Officer), Kerry France (Principal Solicitor) and Jackie Cullen (Committee Assistant).

13 members of the public.

### **APOLOGIES**

No apologies for absence were tendered.

The meeting was recorded and broadcast live on YouTube.

### **169/19 – MINUTES**

It was moved by Councillor Jason Atkin, seconded by Councillor Tom Donnelly and

**RESOLVED** That the minutes of the Planning Committee meeting held on 10 September 2019 be approved as a correct record.  
(unanimously)

The Minutes were signed by the Chairman.

### **170/19 - APPLICATION NO. 19/00712/FUL – ERECTION OF 5 NO. INDUSTRIAL AND COMMERCIAL BUILDINGS WITH ASSOCIATED NEW ACCESS AND LANDSCAPING AT LAND WEST OF BLACKROCKS BUSINESS PARK, PORTER LANE, WIRKSWORTH**

The Committee visited the site prior to the meeting to allow Members to view the impact on the surrounding area.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised:

- Comments from the Applicant, subsequent to the site visit, advising that the walls (Phase 1 buildings) would now be largely timber cladding with a small corner section being entirely stone faced; and dark green wall cladding (Phase 2 buildings), which would be less detrimental on the landscape. The plans had therefore been amended to reflect this;
- A statement from Cromford Parish Council that it had no objection to the amended plans;
- A summary of further comments from Derbyshire Wildlife Trust, including comments on the amended plan and a request that Members delegate authority to the Development Manager to issue any grant of approval further to the receipt of approval from Natural England to the Local Planning Authority's submission of an Appropriate Assessment submitted to them under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) with respect to the Special Area of Conservation
- Comments from the Local Highway Authority on the amended plans, including recommendation of conditions covering temporary access for construction purposes and compound area, parking, footpath link and provision of an appropriate permanent access, as well as conditions that secure sections through the site (to include building levels and associated bunding) based on the amended layout and restrict the use of the buildings to uses falling within Classes B1(a), (b) and (c) and B2 of the Town and Country Planning (Use Classes Order) 1987 (as amended) only to satisfy Local Plan allocation EC2(h).

The DWT had confirmed that it was satisfied with the amended plan and approval of the application, subject to the conditions stipulated.

In accordance with the procedure for public participation Mr Richard Pigott (Agent) spoke in favour of the application.

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

**RESOLVED**  
(unanimously)

That this application be deferred for the following reasons:

1. To enable Officers to liaise with the Environment Agency and the Applicant to agree an alternative sustainable urban drainage method in the event that the proposed infiltration method not be acceptable to the EA;
2. That the Applicant undertakes a more thorough investigation of site contamination than the current desk study.

**171/19 - APPLICATION NO. 19/00455/OUT – OUTLINE PLANNING APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF 12 DWELLINGS WITH APPROVAL BEING SOUGHT FOR ACCESS AT LAND OFF MILLERS GREEN, WIRKSWORTH**

This application had been deferred at the August meeting of this Committee to allow the Applicants to address highway related matters. The Principal Planning Officer advised Members that the HWA had recommended conditions to be attached.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised a summary of further letters of representation from the Wirksworth and Middleton Cricket Club and the Wirksworth Recreation Ground Trustees; and comments from the Ward Member, Cllr Mike Ratcliffe, requesting that the following corrections be made to the report:

- Cllr Elisa McDonagh to be included as the 3rd Wirksworth Ward Councillor;
- Wirksworth and Middleton Rugby Club should read Wirksworth and Middleton Cricket Club.

Late correspondence also included a note that following receipt of the comments from Wirksworth and Middleton Cricket Club, the applicant's agent had submitted an amended plan which made provision for a 3m high open mesh fence in dark green along the north western boundary of the site with the cricket ground. It was recommended that should Members consider this to provide appropriate mitigation in relation to the concerns raised by the cricket club, an additional condition be imposed as part of any resolution to approve outline permission to ensure the delivery of the fence and its maintenance in perpetuity.

In accordance with the procedure for public participation Mr Andrew Redfern (Wirksworth & Middleton Cricket Club) requested that a 4m fence be provided between the Cricket Ground and boundary, maintained by householders, to be the subject of a Planning Obligation. Mr Jonathan Jenkin (Agent) spoke in favour of the application.

It was moved by Councillor Garry Purdy, seconded by Councillor Sue Bull and

- RESOLVED**
- (1) That subject to the applicant entering into a Section 106 legal agreement to amend/rescind the legal agreement of 17<sup>th</sup> September 2003, to ensure on-site affordable housing provision and financial contributions of £15,270 towards off-site affordable housing provision, £78,139.81 towards education facilities and £6,000 towards the provision/maintenance of off-site children's play space that outline planning permission be granted subject to conditions set out in the report, including any conditions recommended by the Local Highway Authority;
  - (2) That authority be delegated to Officers to negotiate with the Applicant and the Wirksworth and Middleton Cricket Club as to the height and materials of the fence boundary along the north western boundary of the site with the cricket ground.

**Voting:**

<b>For</b>	12
<b>Against</b>	0
<b>Abstentions</b>	1

The Chairman declared the motion CARRIED.

**172/19 - APPLICATION NO. 19/00760/FUL – USE OF LAND FOR PERSON EQUESTRIAN USE, ERECTION OF 4 STABLES, HAY BARN AND ASSOCIATED CONCRETE YARD AT SNELSTON HOUSE, SIDES LANE, SNELSTON**

The Senior Planning Officer advised the Committee that Condition 1 in the Officer's Recommendation should also refer to plan no. JABD/222/005.

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

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

### **173/19 - INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS**

It was moved by Councillor Tom Donnelly, seconded by Councillor Sue Bull and

**RESOLVED** That the report be noted.  
(unanimously)

### **174/19 - APPEALS PROGRESS REPORT**

The Principal Planning Officer advised Members that an appeal had been lodged in respect of Enforcement ref ENF/19/00068 (Application No. 19/00722/Ful – Erection of Dwelling House – Revisions to Previously Allowed Scheme 17/00809/Ful (Retrospective) at Rear of Sunnyside Terrace, Farley Hill, Matlock). It was agreed that Cllr David Hughes would provide further assistance to Officers, as the original mover of the Resolution to refuse retrospective planning permission.

It was moved by Councillor Jason Atkin, seconded by Councillor Tom Donnelly and

**RESOLVED** That the report be noted.  
(unanimously)

**MEETING CLOSED 6.59PM**

**CHAIRMAN**