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## PLANNING COMMITTEE

**Minutes of a Meeting held on Thursday 28 June 2018 at 6.00pm at Council Chamber, Town Hall, Matlock.**

### PRESENT

Councillor Jason Atkin - In the Chair

Councillors Sue Bull, Sue Burfoot, Albert Catt, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Tony Morley, Dermot Murphy, Lewis Rose OBE, Peter Slack and Joanne Wild.

Jon Bradbury (Development Manager), Katie Hamill (Solicitor) and Jackie Cullen (Committee Assistant).

Councillors Ann Elliott and Colin Swindell attended as Ward Members.

46 members of the public.

### APOLOGIES

Apologies for absence were received from Councillor Garry Purdy. Councillor Helen Froggatt attended as Substitute Member.

### 58/18 – MINUTES

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

**RESOLVED** That the minutes of the Planning Committee meeting held on 19 (unanimously) June 2018 be approved as a correct record.

The Minutes were signed by the Chairman.

**59/18 – APPLICATION NO. 16/00923/OUT – REVISED SCHEME – DEVELOPMENT OF 482 DWELLINGS, 2800m<sup>2</sup> COMMERCIAL FLOOR SPACE (CLASS B1), SHOP AND CAFÉ, WITH ASSOCIATED VEHICLE, CYCLE AND PEDESTRIAN INFRASTRUCTURE (OUTLINE) AT CAWDOR QUARRY, PERMANITE WORKS AND PART OF SNITTERTON FIELDS, MATLOCK SPA ROAD, MATLOCK**

The Senior Solicitor reported that correspondence had been delivered by hand, from Mr Seddon and Mr Hall, immediately before the meeting. This referred to the late amendment of the site plan to incorporate a triangular section of hard surface immediately to the south, which is part of an SSSI. Mr Seddon and Mr Hall had suggested that this land could not

be incorporated without obtaining a further EIA Regulations Screening Opinion. The Senior Solicitor advised that if Members were minded to delegate authority to grant planning permission; the decision as to whether or not a further screening opinion was necessary should be delegated to the Development Manager. Only if a further screening opinion was deemed necessary, and it was decided that the development was now EIA development, would the item need to be brought back to a future Planning Committee for consideration.

The Committee had visited the site in December 2017, to allow Members to appreciate the extent of the application site and assess its impact on the National Park and Heritage Assets.

This application was previously presented to Committee in December 2017, at which time Members deferred consideration of it in order to give the public time to consider and comment upon the District Valuer's report and the late amendments to the scheme, as well as to allow Officers to present a full list of conditions and to allow the Applicant to explore the possibility of transferring the remaining Snitterton Fields to the Parish Council thereby safeguarding them from future development. During this period of deferral the Applicant initially held talks with the Parish Council and then subsequently with Derbyshire Wildlife Trust over future ownership of Snitterton Fields. As this had an impact on the economics of the scheme a revised appraisal had been reviewed by the District Valuer. The applicant had also taken the opportunity to correct the housing mix previously referred to. All of this revised information had been put in the public realm for consideration, and was appraised in the revised Officer report.

Consultation responses and lists of representations were set out in the report.

The Development Manager drew the Committee's attention to minor corrections in the report:

- Paragraph 8.5.1 (p.51) should read 'The scheme as originally submitted incorporated **586** dwellings ...' and not 578 as shown in the report;
- 8.9.11 (top of p.56) refers to 'two specific areas requiring revisions to the design ...' – it was noted that these had been addressed by amendments and comment on these changes was incorporated into the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised a list of points raised in further representations; a submission from the Applicants clarifying some aspects of the application; and confirmation from Derbyshire Wildlife Trust of their intention to be a signatory to the legal agreement in order that the areas identified could be transferred for their future management. Correspondence was also received regarding clarification of the Application boundary with regard to a small area of land within the application site that had been utilised for parking and storage – this resulted in a minor revision to the site boundary, taking it into an area of SSSI.

The Development Manager advised the Committee that consideration of the late representations had resulted in some last-minute amendments to the proposed Conditions, as follows:-

30. Condition 3 amended to make clear that phase 1 is the Gateway Spa
31. Condition 9 amended to refer to phase 1 (Gateway Spa)

32. Condition 35 amended so that under point (iv) specific reference is made to wheel washing and road sweeping as necessary.
33. Condition 38 amended with the word shall to replace should. The condition should also include the words via Snitterton Road and Oker Road for clarity at the end of the penultimate sentence.
34. Wording for condition 40 as follows: -  
No vehicular access, whether temporary or permanent shall be permitted under this application to Snitterton Road from the western end of the development site along the former access to the Permanite
35. Condition 59 – Amend wording to read – No works of demolition/ site clearance / remediation or construction.

In accordance with the procedure for public participation, Cllr. Kath Potter (local objector), Messrs Martin Seddon, David Roberts, Stephen Piddington, Graham Hall and Paul Thompson (local residents) spoke against the application; Cllr. Colin Swindell (Derbyshire Dales District Council) spoke as Ward Member against the application; Mr David Elsworth and Mrs Alayne Green (local residents) commented on the application and Mr David Morley (Architect on behalf of Applicant) spoke in favour of the application.

In accordance with Rule of Procedure 19 (d) Councillor Peter Slack and Councillor Albert Catt requested a recorded vote on this item.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Albert Catt and

**RESOLVED**

That, authority be delegated to the Development Manager to grant planning permission subject to; the Development Manager being satisfied that the amendment to the site plan to incorporate an element of the adjoining SSSI does not result in the development being EIA development; and on completion of a legal agreement securing the highway contributions listed in the report, the education contribution, the healthcare contribution and securing the transfer of the Snitterton Fields, the Wetland, Snitterton Copse and the Ecology Park along with the Café/Interpretation Centre to Derbyshire Wildlife Trust and subject to the conditions set out in the report, including additional conditions and the amendments tabled by the Development Manager as detailed below:

3. No development shall commence until full details of the phasing of the project have been submitted to and agreed in writing by the Local Planning Authority. The details of phasing submitted should explain how individual phases relate to one another and detail how development issues that cross phasing boundaries such as land remediation, remodelling and drainage are to be addressed. Within the submitted phasing the planting of The Copse should be included as part of phase 1 (*the Gateway Spa*) and the phasing of Zone 7 (Snitterton Fields) should allow for the prior completion of either 200 dwellings or 125 dwellings and the employment provision in earlier phases. The development shall be carried out in accordance with the approved programme unless the Local Planning Authority gives its written consent to any variation.

Reason:

For the avoidance of doubt and to ensure an ordered and comprehensive development of the site.

9. The reserved matters submission for landscaping shall include details of the phasing of planting at the western end of the site. This planting shall be carried out in the first planting season *following the commencement of Phase 1 (the Gateway Spa)*.

Reason:

To ensure that the development is screened at its western end to minimise the impact of development on the countryside and National Park in accordance with Policies PD1, PD5 and S4 of the Derbyshire Dales Local Plan (2017).

35. No development shall take place within any phase of the development including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority for that phase. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
  - i. Parking of vehicles of site operatives and visitors
  - ii. Routes for construction traffic
  - iii. Hours of operation
  - iv. Method of prevention of debris being carried onto highway, *with particular reference to wheel washing and road sweeping as necessary*
  - v. Pedestrian and cyclist protection
  - vi. Proposed temporary traffic restrictions
  - vii. Arrangements for turning vehicles
  - viii. Roadside hoarding and construction access arrangements.

Reason:

In the interests of highway safety in accordance with Policy HC19 of the Derbyshire Dales Local Plan (2017).

38. Before any built development commences detailed designs of the permanent access arrangements to Matlock Spa Road *shall* be submitted to the Local Planning Authority for written approval. The scheme designs shall incorporate measures and surface treatments to support and assist pedestrian crossing movements across Matlock Spa Road and across the development access points, as well as measures to suppress vehicle speeds in the vicinity. The permanent access designs should also consider layouts / measures to deter traffic movements through the settlements of Oker and Snitterton, *via Snitterton Road and Oker Road*. The scheme being constructed in accordance with the approved details in accordance with a timescale agreed in advance with the Local Planning Authority, prior to any residential occupation of the site.

Reason:

In the interests of highway safety in accordance with Policy HC19 of the

Derbyshire Dales Local Plan (2017).

40. *No vehicular access, whether temporary or permanent, shall be permitted under this application to Snitterton Road from the western end of the development site along the former access to the Permanite Works.*

Reason:

In the interests of highway safety in accordance with Policy HC19 of the Derbyshire Dales Local Plan (2017).

59. No works of demolition/ site clearance/ remediation or construction to be carried out outside of the hours of 08:00 to 18:00 hrs on Mondays to Fridays; and 09:00 to 13:00 hrs on Saturdays with no working on Sundays and Bank Holidays unless specifically agreed in writing by the Local Planning Authority beforehand..

Reason:

To protect the amenity of the occupants of nearby dwellings.

61. Prior to the commencement of development details of a Community Liaison Group to be set up shall be submitted to and agreed in writing with the Local Planning Authority. The Group shall operate in accordance with the approved details

Reason:

To ensure that the local community are informed and forewarned of the programming of the complex and disruptive works associated with the redevelopment of the quarry and to enable the community to feedback to the developer on the measures being undertaken to mitigate those impacts.

**Voting:**

Councillors Jason Atkin, Albert Catt, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Tony Morley, Dermot Murphy and Lewis Rose OBE. (9)

**For**

Councillors Sue Bull, Peter Slack and Joanne Wild. (3)

**Against**

Councillor Sue Burfoot. (1)

**Abstentions**

The Chairman declared the motion carried.

**MEETING CLOSED 7.43PM**

**CHAIRMAN**