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## **PLANNING COMMITTEE**

**Minutes of a Planning Committee meeting held at 6.00pm on Tuesday 8<sup>th</sup> February 2022 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, Paul Cruise, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Clare Gamble, Stuart Lees, Peter O'Brien, Garry Purdy, and Peter Slack.

Chris Whitmore (Principal Planning Officer), Kerry France (Principal Solicitor) Jason Spencer (Electoral and Democratic Services Manager) and Tommy Shaw (Business Support Assistant).

Members of the Public - 6

### **APOLOGIES**

There were no apologies for absence.

### **276/21 - INTERESTS**

Item 5.1 – Application No. 21/01337/FUL

Councillor Sue Burfoot declared a personal interest in this matter as she was a member of Matlock Town Council, Matlock Community Vision and Matlock Civic Association. She confirmed that she had not been involved in discussions relating to their representations on this application and that she came to discussions at this meeting with an open mind.

The Chair announced that he had agreed to vary the order of business so that item 5.3 would be considered first.

### **277/21 - MINUTES**

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

**RESOLVED**  
(unanimously)

That the minutes of the Planning Committee meeting held on 11<sup>th</sup> January 2021 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.”*

**278/21 – APPLICATION NO. 21/01532/FUL (Presentation)**

**Extension of existing building to provide an additional holiday let at The Coach House, Bank Top Farm, Squashley Bank, Roston.**

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

In accordance with the procedure for public participation, Mr Karl Davis (Applicant) and Cllr Tony Morley (Ward Member) spoke in support of the application.

Consultation responses were set out in section 5 of the report

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

**RESOLVED** That planning permission be approved subject to appropriate conditions to a deliver a holiday let that would constitute acceptable expansion of and supplement to the existing accommodation on site and a footnote suggesting that the applicant should give consideration to the provision of car charging points as part of the proposed development.

**Voting:**

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

**279/21 – APPLICATION NO. 21/01337/FUL (Presentation)**

**Change of use and conversion of market hall to a mixed use premises comprising of a cinema, a community hall/meeting space (Use Class F.2) or office (Use Class E), a Class E Unit (cafe/ restaurant or retail use) or Sui generis unit (hot food take-away/ drinking establishment with expanded food provision) with associated building operations, internal and external alterations, landscaping works, new bus facilities and enhanced lay-by provision on the Bakewell Road frontage of Matlock Indoor Market Hall, Bakewell Road, Matlock.**

In accordance with the procedure for public participation, Mr Jon Phipps (Agent), Mr Ken Parker (Secretary of Matlock Civic Association) and Ms Helen Crane (Matlock Community Vision CIC) spoke in support of the application.

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

Local Lead Flood Authority (Derbyshire County Council)

Have reviewed the information submitted for this application, which was received on 12 November 2021, with additional information received on 27 January 2022. While this is a minor application, in view of the history of flooding in the area, the Lead Local Flood Authority (LLFA) recommends the conditions below:

1. “No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority.”

Reason: To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted.

2. “Prior to commencement of the development, the applicant shall submit for approval to the LPA details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.”

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development.

**RESPONSE:**

It is recommended that the conditions requested by the Lead Local Flood Authority (LLFA) above, and informative shall be attached to any decision to grant of planning permission, in addition to those recommended in the officer’s report.

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

**RESOLVED** That planning permission be approved subject to the conditions set out in the officer’s report and that authority be delegated to the Development Manager to also impose the conditions as drafted by the LLFA where they are considered necessary and appropriately worded based on the nature of the development following further consultation with this authority.

**Voting:**

<b>For</b>	11
<b>Against</b>	1
<b>Abstention</b>	1

The Chairman declared the motion **CARRIED**.

**280/21 - APPLICATION NO. 21/01225/FUL (Presentation)**

**Erection of 2no. housing blocks to provide 120 no. bed spaces, erection of a multifaith centre, siting of a portacabin for parcel storage, creation of additional car parking and associated demolition and landscaping works at H M Prison Sudbury, DE6 5HW.**

In accordance with the procedure for public participation Mr Tudor Jones (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.

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:

Cllr Jacqueline Allison

I'm pleased the applicant has revised the proposals in line with the feedback received from the prisons closest neighbours. I do not object to the expansion of the prison in that it will provide a service to the wider general public that hopefully will ensure prisoners on release are rehabilitated and become law abiding members of our communities.

The main concerns raised with me by residents relate to the loss of privacy, specifically the impact of the multi faith centre. The drawings show that elevation A will be seen from the back gardens of the homes on Sudbury Park, some additional planting has been included but I understand issues with the CCTV line of sight will not allow any more. I would request the windows on that side of building have obscured glazing fitted.

Travel Plan

Little mention in the plan is made of the prisoners' use of the public bus service to get to work in the surrounding towns. Anecdotal information suggests at times the buses are overcrowded with local residents unable to use them. This needs further investigation and a suitable solution found if required.

Water supplies

With the new housing blocks containing 120 en-suite rooms there is concern locally about whether the current infrastructure can sustain the new demand placed on it. The water company has not been consulted as yet and residents would like reassurance that this will be done before any development commences.

Development

I have not seen in the report any conditions relating to the site operation when construction starts? When will work on site be permitted?

**RESPONSE:**

With regard to the loss of privacy of nearby occupants as a result of the proposed multifaith building, as outlined in the report, the nature of the use of the building, in combination with the single storey height and distance from the nearest residential properties is such that it is not considered to be necessary to attach an obscure glazing condition in this case.

The District Council have not received any comments from the Highway Authority in relation to highway safety issues. The prison service is currently served by public transport and it would be the decision of the operator as to whether any increase in passenger numbers would warrant any changes to this service.

With regard to the water supply, this issue would need to be addressed as part of a building regulations application should this planning application be approved.

Condition 1 is a statutory time frame condition which allows the applicants 3 years from the date of the decision to commence the development. Subject to a lawful commencement being made within 3 years, the applicant would be able to complete the development at any time.

**UPDATE:**

Following further consultation regarding the submitted Ground Investigation Report, Environmental Health are satisfied with the methodology and provided that the development is carried out in accordance with the recommendations of the report, there would be no requirement for Condition 11 as set out in the Officers report. It is therefore proposed that Condition 11 is replaced by the following condition:

*11. The development hereby approved shall be carried out in accordance with the recommendations and mitigation measures outlined in the approved Ground Investigations Report. A statement of compliance shall be submitted to the Local Planning Authority upon completion of works on site.*

*Reason:*

*To address any contamination on site in accordance with policy PD9 of the Adopted Derbyshire Dales Local Plan (2017).*

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

**RESOLVED**

That planning permission be approved subject to the conditions set out in the report, subject to condition 11 being replaced with the following:

*“11. The development hereby approved shall be carried out in accordance with the recommendations and mitigation measures outlined in the approved Ground Investigations Report. A statement of compliance shall be submitted to the Local Planning Authority upon completion of works on site.”*

and an appropriate construction working hours condition.

**Voting**

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

The Chairman declared the motion **CARRIED**.

### **281/21 - INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS**

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

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

### **282/21 - APPEALS PROGRESS REPORT**

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

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

**Meeting Closed 8:00PM**

**Chairman**