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PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 5 February 2019 at 6.00pm in the Council Chamber, Town Hall, Matlock.

PRESENT

Councillor Garry Purdy - In the Chair

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

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

31 members of the public.
1 member of the Press.

APOLOGIES

Apologies for absence were received from Councillor Lewis Rose OBE. Councillor Helen Froggatt attended as Substitute Member.

320/18 – MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Jason Atkin and

RESOLVED That the minutes of the Planning Committee meeting held on 15 (unanimously) January 2019 be approved as a correct record.

The Minutes were signed by the Chairman.

321/18 – APPLICATION NO. 18/01333/FUL – RETAIN CLAD SHIPPING CONTAINERS AND RETAIN CARAVAN ONSITE FOR A FURTHER PERIOD OF 12 MONTHS AT LONGWAY BANK WOOD, LONGWAY BANK, WHATSTANDWELL

The Committee visited the site prior to the meeting to allow Members to assess the need for the development and the impact on the character and appearance of the open countryside.

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

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

322/18 - APPLICATION NO. 18/01371/FUL – CHANGE OF USE FROM CINEMA (D2 USE) WITH ANCILLARY BAR AREA TO MIXED USE CINEMA (D2 USE), BAR (A4 USE), DELICATESSEN (A1 USE) AND CAFÉ (A3 USE) AT 13A NORTH END, WIRKSWORTH

The Committee visited the site prior to the meeting to allow Members to assess the site in its context and the potential to harm the amenity of residents in the locality.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised a note regarding a letter of representation from a Wirksworth resident reflecting comments in support of the application, and a summary of the concerns stated in two further letters of objection.

In accordance with the procedure for public participation, Messrs Anthony Costigan and Chris Bulatis (local residents) spoke against the application, and Mr Jeremy Taylor (volunteer & local resident), Ms Briony Williams (Manager of Cinema) and Mr Paul Carr (Applicant) spoke in favour of the application.

In response to one of the speakers' concerns, and in agreement with the Applicant's offer, it was proposed that Condition 5 of the Recommendation be amended to include a closing time of 10.30pm in respect of private hire events, as shown in the Resolution below.

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

RESOLVED That planning permission be granted subject to the conditions set out in
(unanimously) the report, with Condition 5 amended as follows:

1. The premises shall only be operated in accordance with the following:

Cinema:
Monday- Friday 12.30-22.45
Saturday 09.30-23.00
Sunday 10.30-22.45

Café
Monday- Friday 08.30-21.00
Saturday 08.30-21.00
Sunday 10.00-21.00

Deli
Monday- Friday 08.30-21.00
Saturday 08.30-21.00
Sunday 10.00-21.00

Bar
Monday- Friday 12.30-23.00
Saturday 09.30-23.00

Sunday 12.00-23.00

Notwithstanding the above, on evenings where the premises are hired for private events, this shall be limited to a maximum of 52 guests and the opening times of the premises shall be restricted to the hours of 18.00-22.00 and the premises shall be vacated by 22.30.

Reason:

As advised by the applicant, for the avoidance of doubt, and to safeguard the amenity of local residents to comply with Policies S3 and PD1 of the Adopted Derbyshire Dales Local Plan (2017).

323/18 - APPLICATION NO. 18/01423/FUL – RETENTION OF PART SINGLE STOREY, PART TWO STOREY BUILDING AS CONVERTED FOR USE AS A DWELLINGHOUSE, INCLUDING RETENTION OF FLUE SERVING WOOD-BURNING STOVE AT BRAKENDALE, ASHBOURNE ROAD, BRASSINGTON

The Committee visited the site prior to the meeting to allow Members to consider the extent of works carried out to the building and the impact of the development on the surrounding area.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised a rebuttal statement submitted by the Applicant's Agent, and a comment on the development from Carsington and Hopton Parish Council.

In accordance with the procedure for public participation and Mr Jonathon Jenkin (Agent) spoke in favour of the application.

It was moved by Councillor Albert Catt, seconded by Councillor Dermot Murphy and

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

Voting:

For	11
Against	2
Abstentions	0

The Chairman declared the motion CARRIED.

324/18 - APPLICATION NO. 18/01026/FUL – DEMOLITION OF TWO BARNS AND ERECTION OF DWELLING WITH ATTACHED ANCILLARY LIVING ACCOMMODATION, BARN AND BOTHY AT HILLSIDE LODGE FARM, FIELD LANE, KIRK IRETON

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

In accordance with the procedure for public participation, Ms Charlotte Stainton (Agent) spoke in favour of the application, accompanied by a video presentation of the proposed development.

The Development Manager advised that Condition 8 of the Recommendation should relate to demolition of the barn, and not the dwelling as shown in the report.

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Tom Donnelly and

RESOLVED That planning permission be granted subject to the conditions set out in (unanimously) the report, including amended Condition 8 as follows:

8. A scheme of demolition of the existing barn shall be submitted to and approved in writing by the Local Planning Authority prior to demolition. The demolition shall be implemented in accordance with the approved details.

Reason:

For the avoidance of doubt.

325/18 – APPLICATION NO. 16/00397/FUL – RESIDENTIAL DEVELOPMENT OF 49 DWELLINGS WITH ASSOCIATED GARAGES AND INFRASTRUCTURE AT LAND AT TANSLEY HOUSE GARDENS, TANSLEY

The Senior Planning Officer advised that the plan shown on the Council's portal showed the Whitelea Lane, Tansley site in error.

Correspondence received after publication of the agenda was distributed at the meeting; this included confirmation from the Applicant's Agent of the correct details of the Applicant; a correction in respect of the Introduction section of the report that stated that amended plans had been submitted to demonstrate the change in materials to the external elevations – this was not the case and plans were still outstanding, as required under Condition 7 of the Recommendation; comments received from North Derbyshire CCG requesting a contribution of £18,716 towards the Lime Grove Medical Centre and the Imperial Road Surgery for expansion of the premises, which was to be included in the Recommendation as an additional item to be included in the S106 Agreement; and a summary of a letter of objection from a local resident.

In accordance with the procedure for public participation, Cllr. Vicki Raynes (Tansley Parish Council) and Mrs Diana Dakin (local resident) spoke against the application and Mr Glyn Jones (Applicant) spoke in favour of the application

It was moved by Councillor Peter Slack, seconded by Councillor Jason Atkin and

RESOLVED That authority be delegated to the Development Manager to grant planning permission subject to the completion of a Section 106 Planning Obligation Agreement to secure affordable units on-site to make up provision to the equivalent of 30%, the contribution towards secondary and post 16 school places of £75,236.78, a contribution of £18,716 towards the Lime Grove Medical Centre and the Imperial Road Surgery for expansion of the premises, long term mitigation and management of

the grassland, and subject to the conditions set out in the report.

Voting:

For	12
Against	1
Abstentions	0

The Chairman declared the motion CARRIED.

326/18 – APPLICATION NO. 17/00850/FUL – ERECTION OF 26 DWELLINGS AND WIDENING OF EXISTING ACCESS TO SERVE DEVELOPMENT AND NEW ACCESS TO THE RETAINED PROPERTY ON SITE AT LAND OFF WHITELEA LANE, TANSLEY

This matter had been deferred at the planning committee meeting of the 23rd October 2018, for the reasons set out in the report which had subsequently been addressed as detailed in the report and with appropriate Conditions.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised confirmation from Derbyshire Wildlife Trust that the comments previously made still applied and a summary of concerns raised in a letter from a local resident.

In accordance with the procedure for public participation, Cllr. Vicki Raynes (Tansley Parish Council) commented on the application; Mr Frederick Burgess and Mrs Diana Dakin (local residents) spoke against the application, and Mr James Chatterton (Applicant William Davis Ltd) spoke in favour of the application.

It was moved by Councillor Albert Catt, seconded by Councillor Tom Donnelly and

RESOLVED That authority be delegated to the Development Manager to grant planning permission be granted subject to the signing of a S106 Agreement in respect of the developer contributions and affordable housing and subject to the conditions set out in the report.

Voting:

For	
Against	12
Abstentions	1
	0

The Chairman declared the motion CARRIED.

327/18 – APPLICATION NO. 18/01184/FUL – ERECTION OF TWO COMMERCIAL BUILDINGS COMPRISING 14 SEPARATE UNITS AT HAARLEM MILL, DERBY ROAD, WIRKSWORTH

Councillors Richard FitzHerbert and Joanne Wild left the meeting at 7.51pm prior to discussion of this item.

The Senior Planning Officer advised that the drainage authority required further information regarding the development posing no threat to the flood risk and that the drainage was adequate. The Applicant was finalising this additional information. In light of this, it was proposed that authority be delegated to the Development Manager to grant permission, once the outstanding drainage issues have been addressed, and attach any appropriate Conditions that may be required after consultation.

It was moved by Councillor Jason Atkin, seconded by Councillor Tony Morley and

RESOLVED That authority be delegated to the Development Manager to grant
(unanimously) planning permission subject to the outstanding drainage issues being satisfactorily addressed, with any appropriate Conditions attached that may be required after consultation, alongside the conditions set out in the report.

328/18 - INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

It was moved by Councillor Garry Purdy, seconded by Councillor Jason Atkin and

RESOLVED That the report be noted.
(unanimously)

329/18 - APPEALS PROGRESS REPORT

The Development Manager advised that with regard to Application Reference 18/00843/FUL – 3 Rectory Gardens, Main Road, Sudbury, the appeal had been dismissed. With regard to Application Reference 18/00922/FUL – Matlock Ford, 31-33 Causeway Lane, Matlock, it was confirmed that a public inquiry would take place in October.

It was moved by Councillor Garry Purdy, seconded by Councillor Jason Atkin and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 7.59PM

CHAIRMAN