



This information is available free of charge in electronic, audio, Braille and large print versions on request.

For assistance in understanding or reading this document or specific information about these Minutes please call Democratic Services on 01629 761133 or e-mail [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## **PLANNING COMMITTEE**

**Minutes of a Meeting held on Tuesday 20 September 2016 at 6.00pm at Council Chamber, Town Hall, Matlock.**

### **PRESENT**

Councillor Tony Millward, BEM - In the Chair

Councillors Jason Atkin, Sue Burfoot, Albert Catt, Tom Donnelly, Chris Furness, Neil Horton, Tony Morley, Mike Ratcliffe, Lewis Rose OBE, Peter Slack, Jacquie Stevens and Joanne Wild.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Helen Frith (Senior Planning Officer), Chris Whitmore (Area Planning Officer) and Jackie Cullen (Committee Assistant).

17 members of the public.

### **APOLOGIES**

Apologies for absence were received from Councillors Sue Bull, Graham Elliott, Richard FitzHerbert, Jean Monks and Garry Purdy. Councillor Jacquie Stevens attended as Substitute Member.

### **166/16 – MINUTES**

It was moved by Councillor Tony Millward BEM, seconded by Councillor Tom Donnelly and

**RESOLVED**  
(unanimously)

That the minutes of the Planning Committee meeting held on 6 September 2016 be approved as a correct record.

The Minutes were signed by the Chairman.

### **167/16 – APPLICATION NO. 16/00420/FUL – RESIDENTIAL DEVELOPMENT OF 33 AFFORDABLE DWELLINGS AND ACCESS AT LAND EAST OF DERBY ROAD, WIRKSWORTH**

The Committee visited the site prior to the meeting to allow Members to fully appreciate the site context including the relationship between the site and the nearby listed buildings at Haarlem Mill.

Correspondence received after publication of the Agenda was distributed at the meeting. This comprised additional information from the Applicant's agent regarding ecological concerns and in particular bat roosts, resulting in extra conditions addressing mitigation measures recommended by Derbyshire Wildlife Trust to be included in the Officer's recommendation.

The Development Manager agreed to undertake further negotiations with the Highways Authority regarding changing the boundary with regard to the 30mph speed limit and/or lowering the current 60mph speed limit within the proposed development.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Peter Slack and

**RESOLVED** That planning permission be granted subject to the conditions set out in (unanimously) the report, together with the additional conditions recommended by Derbyshire Wildlife Trust, as follows:-

33. No works shall commence on site until a copy of the Natural England Bat Licence Application has been submitted to and approved in writing by the LPA, in advance of submission to Natural England.
34. No work shall commence on site until a detailed bat mitigation, compensation and enhancement strategy has been submitted to and approved in writing by the LPA. Such approved measures should be implemented in full and retained thereafter.
35. No works shall commence until a detailed external lighting scheme has been submitted to and approved in writing by the LPA. Such approved measures should be implemented in full and maintained thereafter.
36. No works shall commence until a copy of the Natural England EPS Bat Mitigation Licence has been submitted to and approved in writing by the LPA.
37. The bat and bird mitigation measures will be monitored for a minimum of two years after construction, with reports submitted to the LPA, Derbyshire Wildlife Trust and Derbyshire Bat Conservation Group immediately following completion of each survey.
38. No works to buildings or structures or removal of vegetation that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site have first been submitted to and approved in writing by the LPA and then implemented as approved.
39. No work shall commence on site until a bird mitigation, compensation and enhancement strategy for nesting birds (and in particular swallow) has been submitted to and approved in writing by the LPA. Such approved measures shall be implemented in full and maintained thereafter.

**168/16 – APPLICATION NO. 16/00436/OUT – OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 47 DWELLINGS WITH ASSOCIATED ACCESS AT LAND AT LUKE LANE, BRAILSFORD**

The Chairman agreed to vary the order of the meeting and brought forward item 4.6 on the Agenda. This application had been deferred from the previous planning meeting (6<sup>th</sup> September 2016), prior to which Members had visited the site.

In accordance with the procedure for public participation, Cllr Hugh Stevenson (Brailsford Parish Council), Mrs Pat Laughlin, Mr Tim Tayler, Ms Emma Thacker and Mr Simon Thompson (Residents) spoke against the application; and Ms Kathryn Young (Agent) spoke in favour of the application.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised a letter from a local resident, and an additional condition to be added to the Officer's recommendation.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Peter Slack and

**RESOLVED**  
(unanimously)

That authority be delegated to the Development Manager to grant outline planning permission subject to the completion of a Section 106 Planning Obligation Agreement to secure affordable units on-site and off-site to make up provision to the equivalent of 45%; the contribution towards school places of £137,409.36 for 8 secondary places and £55,883.70 towards the provision of 3 post-16 places as required by the County Council; and payment of £2,500 to the Highway Authority for continued work with the developer regarding the travel plan and subject to the conditions set out in the report, with an additional condition as follows for the reason set out in the late correspondence:

30. Notwithstanding the original submission, the development as amended and hereby agreed shall be for up to 47 dwellings only.

**169/16 – APPLICATION NO. 16/00340/OUT – DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 10 DWELLINGS WITH ACCESS AND LAYOUT (OUTLINE) AT THE FIRS, MAIN ROAD, WYASTON**

The Committee visited the site prior to the meeting to allow Members to assess the impact of the development on the character and appearance of this part of the village and the local environment.

In accordance with the procedure for public participation, Cllr Andy Cross (Edlaston & Wyaston Parish Council) and Mrs Eleanor Smith (Resident) spoke against the application, and Mr Paul McLoughlin (Architect/Agent) spoke in favour of the application.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Mike Ratcliffe and

**RESOLVED** That subject to the Applicants entering into an agreement under the provisions contained at Section 106 of the Town and Country Planning Act 1990 to secure £22,798.02 towards the delivery of additional teaching accommodation at Osmaston CE Controlled Primary School, outline permission be granted, subject also to the conditions set out in the report.

**170/16 – APPLICATIONS NOS. 16/00499/FUL AND 16/00500/BALT – DEMOLITION OF COBBLER’S WORKSHOP/GARAGING AND BOUNDARY WALL AND ERECTION OF A NEW TWO STOREY SHOP (USE CLASS A1) AND GARAGE AT BUILDING TO THE REAR OF 18-20 ST JOHN’S STREET, ASHBOURNE**

The Committee visited the site prior to the meeting to allow Members to consider the impact of the development on the historic environment.

In accordance with the procedure for public participation Mr Eddie Leyland (Applicant) spoke in favour of the application.

It was noted that this application had been re-submitted as it had been unclear in the original application that development would include demolition of the wall, which formed part of the curtilage of a listed building.

It was moved by Councillor Tom Donnelly, seconded by Councillor Jacquie Stevens and

**RESOLVED** That planning permission be granted, to include demolition of the pillar at the end of the wall, for the reason set out below:  
(unanimously)

Reason: This development would cause less than substantial harm to the overall heritage asset, and the social and economic benefits of re-developing this site would outweigh the harm occasioned by the demolition of the wall and pillar.

**171/16 – APPLICATION NO. 16/00373/FUL – ERECTION OF INDOOR RIDING ARENA WITH ACCESS AND PARKING AT LAND FOR EQUESTRIAN CENTRE, ABBOTSHOLME SCHOOL, ROCESTER, DERBYSHIRE**

It was moved by Councillor Albert Catt, seconded by Councillor Neil Horton and

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

**172/16 - INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS**

It was moved by Councillor Tony Millward BEM, seconded by Councillor Tom Donnelly and

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

**173/16 - APPEALS PROGRESS REPORT**

It was moved by Councillor Tony Millward BEM, seconded by Councillor Lewis Rose OBE and

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

**MEETING CLOSED 8.23PM**

**CHAIRMAN**