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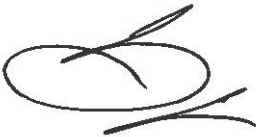
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06 August 2018

To: All Councillors

As a Member or Substitute of the **Planning Committee**, please treat this as your summons to attend a meeting on **Tuesday 14 August 2018** at **6.00pm** in the **Council Chamber, Town Hall, Matlock DE4 3NN**.

Yours sincerely



Sandra Lamb
Head of Corporate Services

AGENDA

SITE VISITS: The Committee is advised a coach will leave the Town Hall, Matlock at 3.50pm prompt. A schedule detailing the sites to be visited is attached to the Agenda.

1. APOLOGIES/SUBSTITUTES

Please advise the Committee Team on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Planning Committee – 17 July 2018

3. INTERESTS

Councillors are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those Interests are matters that relate to money or that which can be valued in money, affecting the Councillor, her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

4. APPLICATIONS FOR DETERMINATION

Please note that for the following items, references to financial, legal and environmental considerations and equal opportunities and disability issues will be embodied within the text of the report, where applicable.

PUBLIC PARTICIPATION

To provide members of the public **WHO HAVE GIVEN PRIOR NOTICE** (by no later than 12 Noon on the working day prior to the meeting) with the opportunity to express views, ask questions or submit petitions relating to planning applications under consideration. Representations will be invited immediately before the relevant item of business/planning application is discussed. Details of the Council's Scheme are reproduced overleaf. To register to speak on-line, please click here www.derbyshiredales.gov.uk/attendameeting. Alternatively email committee@derbyshiredales.gov.uk or telephone 01629 761133.

	Page No.
4.1 APPLICATION NO. 18/00458/FUL (Site Visit)	06 – 20
Proposed use of land as a camping site with 14 No. camping pods at field adjacent to Oldfield Lane, Warren Carr, Derbyshire.	
4.2 APPLICATION NO. 18/00547/REM (Site Visit)	21 – 29
Approval of reserved matters for the erection of one dwelling (outline application 17/00995/OUT) at North Park Farm, Whitworth Road, Darley Dale.	
4.3 APPLICATION NO. 18/00054/FUL	30 – 42
Change of use of ground floor from D1 to C3 (residential use) and first floor from D1 to A3 (restaurant/cafe use) at Wirksworth Baptist Church, Coldwell Street, Wirksworth.	
4.4 APPLICATION NO. 18/00638/FUL	43 – 50
Change of use from car wash facility to additional car parking for restaurant at Express Hand Car Wash, 43 Bakewell Road, Matlock.	
5. INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS	51 – 68
6. APPEALS PROGRESS REPORT	69
To consider a status report on appeals made to the Planning Inspectorate.	

Members of the Committee

Councillors Garry Purdy (Chairman), Jason Atkin (Vice Chairman),

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

Nominated Substitute Members

Richard Bright, Martin Burfoot, Ann Elliott, Helen Froggatt, Chris Furness, Susan Hobson, Angus Jenkins, Tony Millward BEM, Jean Monks, Joyce Pawley, Mark Salt and Jacquie Stevens.

PUBLIC PARTICIPATION

Members of the public may make a statement, petition or ask questions relating to planning applications or other agenda items in the non-exempt section of an agenda at meetings of the Planning Committee. The following procedure applies.

- a) Public Participation will be limited to one hour per meeting, with the discretion to extend exercised by the Committee Chairman (in consultation) in advance of the meeting. On line information points will make that clear in advance of registration to speak.
- b) Anyone wishing to make representations at a meeting must notify the Committee Section before Midday on the working day prior to the relevant meeting. At this time they will be asked to indicate to which item of business their representation relates, whether they are supporting or opposing the proposal and whether they are representing a town or parish council, a local resident or interested party.
- c) Those who indicate that they wish to make representations will be advised of the time that they need to arrive at the meeting venue so that the Committee Clerk can organise the representations and explain the procedure.
- d) Where more than 2 people are making similar representations, the Committee Administrator will seek to minimise duplication, for instance, by establishing if those present are willing to nominate a single spokesperson or otherwise co-operate in the presentation of their representations.
- e) Representations will only be allowed in respect of applications or items which are scheduled for debate at the relevant Committee meeting,
- f) Those making representations will be invited to do so in the following order, after the case officer has introduced any new information received following publication of the agenda and immediately before the relevant item of business is discussed. The following time limits will apply:

Town and Parish Councils	3 minutes
Objectors	3 minutes
Ward Members	5 minutes
Supporters	3 minutes
Agent or Applicant	5 minutes

At the Chairman's discretion, the time limits above may be reduced to keep within the limited one hour per meeting for Public Participation.

- g) After the presentation it will be for the Chairman to decide whether any points need further elaboration or whether any questions which have been raised need to be dealt with by Officers
- j) The relevant Committee Chairman shall exercise discretion during the meeting to rule out immediately any comments by participants that are not directed to genuine planning considerations.

SITE VISITS

Members will leave the Town Hall, Matlock at **3.50pm prompt** for the following site visits:

	Page No.
4.05pm APPLICATION NO. 18/00458/FUL	06 – 20
FIELD ADJACENT TO OLDFIELD LANE, WARREN CARR, DERBYSHIRE.	
At the request of Officers to allow Members to assess the impact of the development proposals in their context.	
4.35pm APPLICATION NO. 18/00547/REM	21 – 29
NORTH PARK FARM, WHITWORTH ROAD, DARLEY DALE.	
At the request of Officers to allow Members to appreciate the prevailing character and appearance of the area.	
5.00pm RETURN TO TOWN HALL, MATLOCK.	

COMMITTEE SITE MEETING PROCEDURE

The purpose of the site meeting is to enable the Committee Members to appraise the application site. The site visit is not a public meeting. No new drawings, letters of representation or other documents may be introduced at the site meeting. The procedure will be as follows:

1. A coach carrying Members of the Committee and a Planning Officer will arrive at the site as close as possible to the given time and Members will alight (weather permitting)
2. A representative of the Town/Parish Council and the applicant (or representative can attend.
3. The Chairman will ascertain who is present and address them to explain the purpose of the meeting and sequence of events.
4. The Planning Officer will give the reason for the site visit and point out site features.
5. Those present will be allowed to point out site features.
6. Those present will be allowed to give factual responses to questions from Members on site features.
7. The site meeting will be made with all those attending remaining together as a single group at all times.
8. The Chairman will terminate the meeting and Members will depart.
9. All persons attending are requested to refrain from smoking during site visits.

APPLICATION NUMBER		18/00458/FUL	
SITE ADDRESS:		Field Adjacent to Oldfield Lane, Warren Carr, Derbyshire	
DESCRIPTION OF DEVELOPMENT		Use of land as a Camping Site with 14 No. Camping Pods	
CASE OFFICER	Mr. G. A. Griffiths	APPLICANT	Mr. P. Evans
PARISH	Stanton in the Peak	AGENT	Mr. A. R. Yarwood
WARD MEMBERS	Cllr. Mrs. J. Wild	DETERMINATION TARGET	25 th July 2018
REASON FOR DETERMINATION BY COMMITTEE	Requested by Officers given the level of public objection to the proposal	REASON FOR SITE VISIT (IF APPLICABLE)	To allow Members to assess the impact of the development proposals in their context.

MATERIAL PLANNING ISSUES

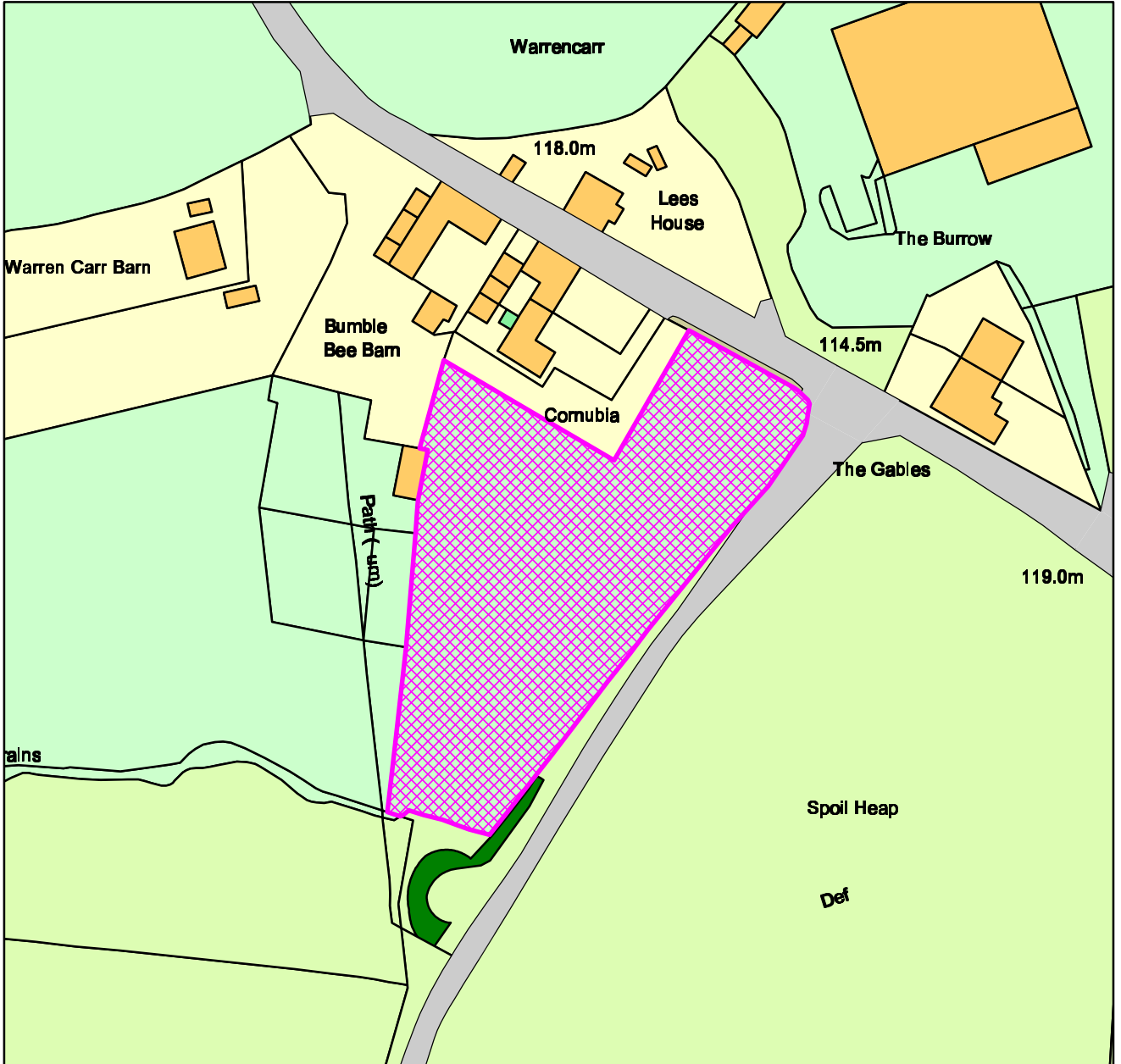
- Principle of the development
- Sustainability
- Impact on the character and appearance of the area and the setting of the Peak District National Park
- Impact on amenity
- Impact on highway safety
- Drainage

RECOMMENDATION

Refusal

18/00458/FUL

Field Adjacent to Oldfield Lane, Warren Carr



Derbyshire Dales DC

1:1,250

Date: 02/08/2018

100019785

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Derbyshire Dales District Council,
Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN.
Telephone: (01629) 761100.
website : www.derbyshiredales.gov.uk

1. THE SITE AND SURROUNDINGS

- 1.1 The application site is a field to the west of Oldfield Lane set adjacent to the hamlet of Warren Carr and within the open countryside. To the immediate north of the site is a group of dwellings with woodland beyond leading up to Stanton Lees and a public footpath runs close the western edge of the site.
- 1.2 To east is the Forticrete industrial site with residential properties beyond. To the south east of the site is an access road and public footpath, beyond which is the landscaped buffer between the hamlet and the industrial site of H. J. Enthoven and Sons. There is a watercourse to the south of the site, with a woodland beyond, which leads up to Stanton Moor Edge to the west which is within the Peak District National Park.



2. DETAILS OF THE APPLICATION

2.1 Full planning permission is sought for the provision of 14 timber faced (larch) camping pods on the site with associated car parking for 15 vehicles and for drainage provision. The site layout is proposed with the access and car parking area immediately off Oldfield Lane with the camping pod area set beyond this to the south west. The applicant has submitted details of two types of camping pods sleeping up to 6 persons. These are as follows:

Tissington	3.2m wide by 7.2m deep and 3.25m high (sleeps up to 6)
Riber	2.57m wide by 6.93m deep and 2.4m high (sleeps up to 4)

2.2 The applicant has submitted a Design and Access Statement. This advises that the hamlet has an industrial nature. The applicant considers the development has been designed to minimise the visual impacts on neighbouring properties and visitors to the area and also to provide noise reduction. The applicant advises that planting is currently being undertaken to screen the site and to mitigate the visual impact of the proposed development and the applicant considers, given the topography of the site, that the pods will screen one another. The applicant advises that the materials will fade to allow the development to blend into its surroundings over future years.

2.3 In terms of parking, the applicant advises that visitors will only be allocated one parking space to each pod resulting in only 14 vehicles on the site at any one time. The indicative drawing, however, details a limestone chipping cart track that provides vehicular access to the field and which passes each of the pods in a loop. The applicant advises that there will be provision for waste management in the car parking area and this has been detailed on the indicative drawing as being close to the access and adjacent to the boundary to Oldfield Lane. Site drainage is proposed to a septic tank to be located to the south of the site.

2.4 The applicant considers there are good road links to the surrounding towns and villages and a network of footpaths and bridleways that would be particularly attractive to the clientele. The applicant considers there to be a wealth of local shops, restaurants, pubs and tourist attractions in close proximity to the proposed development and refers to National and Local Plan Policies by way of seeking to support the development.

2.5 The applicant advises that the site is currently unused and that he is keen to develop the site in a sustainable manner and to provide a continuous income. It is advised that the landowner currently spends considerable time and finance on the upkeep of the land for no financial return.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan (2005)

S1	Sustainable Development Principles
S2	Settlement Hierarchy
S4	Development in the Countryside
S9	Rural Parishes Development Strategy
PD1	Design and Place Making
PD3	Biodiversity and the Natural Environment
PD5	Landscape Character
PD6	Trees, Hedgerows and Woodlands
PD8	Flood Risk Management and Water Quality
PD9	Pollution Control and Unstable Land

HC19	Accessibility and Transport
HC20	Managing Travel Demand
HC21	Car Parking Standards
EC8	Promoting Peak District Tourism and Culture
EC9	Holiday Chalets, Caravan and Campsite Developments

3.2 National Planning Policy Framework

3.3 National Planning Practice Guidance

3.4 Derbyshire Dales District Council Landscape Character and Design Supplementary Planning Document (July 2007).

4. RELEVANT PLANNING HISTORY

1188/0845 Bungalow and garage - Refused

5. CONSULTATION RESPONSES

Parish Council

5.1 Object for the following reasons:

- scale of this development will create a large populated camp site with potentially 64 occupants inflicting noise, light and traffic issues to the immediate 5 neighbouring properties
- potential access clashes with the offices, factory and remaining dwellings of Warren Carr on the opposite side of the road
- site is overlooked by the Peak District National Park and Stanton Lees village and Conservation Area where, due to the topography, all sound from Warren Carr is channelled up to the village and the moor beyond
- noted that the PDNPA class this type of pod with internal utilities as chalets and holiday lodges which are contrary to its Development Plan and not the type as suggested in this application as those permitted at North Lees
- great concern regarding the additional traffic into the National Park via the narrow lanes that this development would encourage
- traffic and parking are of major concern -14 units and only 15 spaces is totally inadequate for modern practices where often two cars are used by friends meeting up and no provision has been made for staff parking
- as the number of cars arriving is unenforceable there would be issues with potential on road overspill on a lane regularly used by HGVs to Forticrete and Enthoven, and access to all villages and dwellings in the Stanton-in-Peak area
- confusion of information as to site access – frontage or corner compounded by the 60 mph limit needs clarification and is of concern
- the use of vehicles would increase as there are no amenities that can safely be accessed on foot and no bus service
- the nearest amenities are two public houses in Darley Bridge but the road is dangerous with no footpath and no street lighting to guide users back to the camping area
- Darley Bridge itself would see additional stresses on the narrow bridge and carriageway
- there would be a requirement for the users of the pods to utilise outside space for leisure and meals - this will increase the noise levels and require outside lighting for safety aspects, disturbing close residential properties and those further afield in Stanton Lees
- whilst screening is indicated, this will only eventually dampen some sound effects in Warren Carr and the 5 surrounding properties will see a loss of light as this grows

- one of the semi-detached properties will find itself surrounded on three sides by the development
- invasive leylandii species appear to have been planted recently with the suggestion in the application that laurel is also used to screen the development – these are non-native species
- any planting would take time to establish and meanwhile residents will become a virtual part of a static caravan park
- disposal of user waste presents problems - the existing domestic septic tank is shared and the proposed screening may lead to access issues for residents and also the possible incursion onto private property by users of the camping pods
- changes to government guidelines appertaining to waste management coming into force in 2020 have not been covered in this proposal and the potential discharge of any effluent directly into the adjoining water course is of great concern
- new septic tank proposals would need to indicate the type of tank proposed, its capacity to cope with the high number of users and the emptying regime required, none of these details are provided - siting on the lower level of the field would place it near the stream that runs along the boundary. There are concerns too here for flooding in winter
- management of the site it is assumed would be carried out from the semi-detached residence as no site office is mentioned in the application, raising the potential nuisance to residential neighbours of pod users seeking support at any period of time from the management staff
- query the use of the residential property associated with the land constitutes a possible change of use should it become an integral part of the camping site
- no mention is made of the proposed opening times of the site so this can only be assumed to be year round with the continual change round of visitors again adding to the traffic and noise issues
- conclude that the development is totally inappropriate for such a location, sitting within a residential enclave, the disproportional increase in noise, traffic issues which will not only affect the near neighbours, the setting, close to the conservation area of the Peak Park, together with increased traffic implications for the wider area and a danger to any potential users of the camping pods who should venture out on foot are all aspects which have been considered and see no overwhelming benefits from this development and urge the District Council to refuse the application.

Local Highway Authority (Derbyshire County Council)

5.2 Object:

- estimated that vehicle speeds approaching the site are 35mph in a north west direction and 30mph in a south east direction - based on this, the access should achieve emerging visibility sightlines of 2.4m x 84m and 2.4m x 66m respectively and do not seem achievable over controlled land
- the proposed access emerges onto the radii of an existing access which carries a public right of way and should be separate to this access and not increase vehicular activity on the public right of way
- if the applicant can demonstrate that a new vehicular access can be created which achieves the above will then be in a position to comment more favourably
- recommend refusal with respect to access visibility constraints.

Peak and Northern Footpaths Society

- 5.3 No objection provided that the full widths of Footpaths 17 and 18 Stanton Peak remain unobstructed.

Derbyshire Wildlife Trust

5.4 Comment:

- no ecological information has been provided to accompany the application
- prior to determination of the application, recommend that a (non-EIA) Ecological Impact Assessment is undertaken in order to establish the habitats that are present and to determine the presence or absence of protected species
- note that existing trees do not appear to be identified on the proposed plan and request clarification on this - every effort should be made to retain mature trees in the scheme design
- field survey work should be undertaken by a suitably qualified and experienced ecologist and be supported by a desk study, which includes obtaining existing records from the local record centre and should also provide details of enhancement opportunities and explain how the development will result in a net gain for biodiversity, in line with guidance within the NPPF 2012.

Environmental Health (DDDC)

5.5 Comment:

- recommend that a noise impact assessment is provided by the applicant prior to a decision being made due to the proximity to two industrial sites to assess the likelihood of disturbance to the camping site and to ensure any mitigation measures would be appropriate and achievable.

Peak District National Park Authority (PDNPA)

5.6 No objection:

- note this is not a particularly well screened site (in terms of screening to the site boundaries and within the site itself) and as such there is likely to be some localised adverse visual impact from the proposed pods, particularly once car parking and other associated paraphernalia are added
- site is approximately 350 metres away from the boundary of the National Park at the nearest point and, as the proposed development would be sited close to existing built form within Warren Carr, it would not have any significant impact on the landscape character of this area or upon the setting of the National Park
- views to the site from Stanton Lees and Stanton Moor Edge are very restricted due to topography and tree cover
- views may be less well screened by trees during winter months but given the limited height of the proposed camping pods do not consider that this would be harmful to the setting of the National Park
- may be some views towards the site from the higher ground on Stanton Moor which is a very valuable area in terms of natural beauty and cultural heritage as well as for providing enjoyment of the special qualities of the National Park by the public - vital that development around this area is not harmful to its special qualities
- taking into account that the site is about 700 metres from the nearest of the Stanton Moor footpaths, the limited height of the proposed pods and that the site would be viewed against the backdrop of existing built form in the area including the large industrial premises close by and the settlement of Darley Dale further to the east, it is considered that the visual impacts of the development would not have an adverse impact on the setting of the heritage assets within Stanton Moor or the natural beauty of the area and would not be harmful to the experience of users of this part of the National Park
- do not consider that there would be any significant adverse impact on the setting or special qualities of the National Park arising from the proposed development and it would not be harmful to the public's experience of the natural beauty, wildlife and cultural heritage of the National Park.

6. REPRESENTATIONS RECEIVED

6.1 A total of 20 representations have been received. A summary of the representations is outlined below:

Policy Principle - Sustainability

- Policy EC9 requires development not to have a prominent or adverse impact on the landscape, be well screened, in a sustainable location, to not affect the amenity or tranquillity of an adjoining area
- Policy EC9 requires development to be in a sustainable location and served by public transport or with a safe and attractive 10 minute walk of regular public transport – this is not the case
- claims that the development would have an extremely positive impact on the local economy – Warren Carr has no facilities
- site does not benefit from the exceptional road, bus and rail links claimed - no buses pass through Warren Carr, the nearest rail link is in Matlock and the nearest bus service is in Darley Bridge which is over half a mile away
- people likely to travel to the site by car
- refer to cycle storage but no provision shown
- not on a tourist route such as the High Peak Trail
- economic impact of tourism on the wider community of Birchover, Darley Bridge and Two Dales is overstated

Impact on the character and appearance of the area

- state that site cannot be seen from a road or footpath but clearly open to view
- boundary of the Peak District National Park is only a short distance away
- would cause serious harm to attractive open rural character and appearance exacerbated by lighting at night
- will overwhelm small residential hamlet
- confusion over the size of the pods which could lead to 24 more visitors than it appears
- pods would be visually dominant due to their materials and the density of development in stark contrast the five stone built house
- no details of how proposed landscaping will lead to noise reduction
- factual inaccuracies in the submission stating that area is of stone built industrial units – these are set back from the site and screened and the character is one of a small rural hamlet
- would take at least 20 years for the proposed landscaping to screen the site
- none of the visualisations show the impact of the proposed car park at the front of the site
- suggestion of a solid timber fence on the boundary would result in significant uncharacteristic visual impact
- site is currently unkempt but there is no reason it could not be viably used for grazing – a ploy to bolster the application.

Impact on amenity

- pods would be illuminated at night
- no details of how proposed landscaping will lead to noise reduction
- impact on peace and tranquillity
- impact on outlook
- number of visitors would greatly exceed the number of residents and would result in an unacceptable deterioration in the reasonably expected living conditions of nearby residents and attractiveness of existing guest accommodation
- level of occupation would seriously affect the peaceful enjoyment of local residents
- noise in the valley carries up to Stanton Lees

- would increase the number of people in the hamlet by approximately 200%

Highway safety

- road from Darley Bridge to the recycling plant is heavily trafficked by articulated lorries and other vehicles and road is narrow with no footpaths or lighting
- road beyond Warren Carr is also narrow with no footpaths or lighting
- would add to traffic congestion at Darley Bridge adding to the continuous use of very large HGVs accessing Enthovens and Forticrete
- lanes in the area are narrow with few passing places
- increased traffic would increase danger to existing road users in vehicles, cyclists and walkers
- entrance on a stretch of 60mph road
- confusion over the location of the access
- 15 car parking spaces will be inadequate and could result in parking on the road or elsewhere on the site
- provision of one car parking space per pod could not be enforced
- refer to overflow parking but this is not detailed.

Drainage

- field known to flood
- state that development not within 20m of a watercourse but there is a stream along the southern boundary which feeds into the River Derwent
- a small area of land (the croft) contains an existing septic tank to serve the farm and, because the land drain taking effluent has proved inadequate, a new drain has been laid straight down the site close to the neighbour's boundary, with no perforations, and is discharging directly into the stream
- no details of the drainage system or the location of the septic tank have been submitted.

Ecology

- flora and fauna are very much part of the landscape
- array of wildlife including curlews, lapwings, owls, hawks, badgers, foxes and fallow deer
- shortage of land for wildlife and wildflowers which flourish in this environment.

Other matters

- adequate camping facilities already exist within close proximity
- as hamlet is so rural, any occurrence of theft, disturbance, violence, fire, accident or emergency would not be efficiently dealt with
- previous owner sought permission for a dwellinghouse and, when refused, sold the site to the applicant
- concern with regard to lead contamination of the soil in the area
- unclear how development impacts on a public right of way
- photograph of neighbour's property submitted without their consent and shows a lack of respect
- applicant has not consulted local residents
- would prefer to see 2 or 3 much needed affordable houses.

7. OFFICER APPRAISAL

Principle of Development

- 7.1 Policy S1 of the Adopted Local Plan (2017) is the overarching Policy by which developments need to be considered. This advises that all developments should seek to make a positive contribution towards the achievement of sustainable development by improving the economic, environmental and social conditions of the area wherever possible. This will be achieved by meeting most development needs within or adjacent to existing communities and making use of land which has been previously developed. Such development will also need to conserve and enhance the distinct Peak District character. The Policy also states that development should have regard to impacts on matters, such as landscape value, achieving high quality design, amenity, ecology, drainage and pollution prevention.
- 7.2 As the site is within the open countryside, regard has to be given to Policy S4 which advises that planning permission will be granted where it represents the sustainable growth of tourism in sustainable locations, provided it does not adversely affect the purposes of the Peak District National Park and is not harmful to its valued characteristics.
- 7.3 Specifically, in terms of tourism development, regard has to be given to Policy EC8 of the Adopted Local Plan. This seeks to support Peak District tourism through provision for visitors which is appropriate to settlements and the countryside, where this is consistent with environmental objectives and where this would relieve tourist pressures on the most sensitive areas of the Peak District National Park. In terms of the specific nature of the development, Policy EC9 relates to holiday chalets, caravan and campsite development. This requires that development does not have a prominent or adverse impact on the landscape, is well screened, is in a sustainable location and does not affect the amenity or tranquillity of an adjoining area.
- 7.4 There are undoubted economic benefits to the applicant, the potential to benefit tourism and the employment this generates in the District. However, these benefits have to be assessed against any harm that the development may cause.

Sustainability

- 7.5. Sustainable development comprises three elements as defined in the National Planning Policy Framework.; the economic, environmental and social roles. In this regard, the development would provide employment in developing, managing and maintaining the site and, in providing overnight accommodation and will result in tourism spending within the District. As such, the proposal would have economic benefits to weighed in the balance.
- 7.6 However, there are concerns with regard to the impact of the proposals on the environmental elements of sustainable development. This site is a greenfield site in an isolated, rural location. It is not close to a settlement (as defined in Policy S2) nor is it served by public transport or within an attractive ten minute walk of regular public transport services as required by Policy EC9. Whilst the application site is adjacent to residential properties that form the hamlet of Warren Carr, this group of properties are away from any settlement which has facilities that can be readily accessed without reliance on the use of a car; the hamlet is not within the hierarchy of accessible settlements identified in Policy S2. Therefore, given the reliance on the car to go to and from the site for most needs, the proposal is considered contrary to the aims of sustainable development and contrary Policies S1, S4, EC8 and EC9. Other matters of environmental sustainability are considered below.
- 7.7 In terms of social sustainability, there are concerns with regard to the proximity of the site to the hamlet and the potential impact that holidaymakers could have on the relative

tranquillity of the area, notwithstanding the proximity of the nearby industrial premises. This is again assessed below.

Impact on the character and appearance of the area and the setting of the Peak District National Park

- 7.8 The site is a greenfield site visible from local residential properties, the public highway, public rights of way and the surrounding area which includes the Peak District National Park. It is considered that the development of this openly viewed site, with alien structures in the form of camping pods, will significantly detract from the character and appearance of this rural landscape.
- 7.9 The application site is approximately 350 metres away from the boundary of the National Park at the nearest point. An assessment has been made of the proposals by the Peak District National Park Authority and, as the proposed development would be sited close to existing built form within Warren Carr, the Park Authority consider that it would not have any significant impact on the landscape character of this area or upon the setting of the National Park.
- 7.10 It is noted by the Park Authority that there may be some views towards the site from the higher ground on Stanton Moor, which is a very valuable area in terms of natural beauty and cultural heritage, as well as for providing enjoyment of the special qualities of the National Park by the public. However, taking into account that the site is about 700 metres from the nearest of the Stanton Moor footpaths, the limited height of the proposed pods and that the site would be viewed against the backdrop of existing built form in the area (including the large industrial premises close by and the settlement of Darley Dale further to the east), it is considered that the visual impacts of the development would not have an adverse impact on the setting of the heritage assets within Stanton Moor or the natural beauty of the area and would not be harmful to the experience of users of this part of the National Park.
- 7.11 Therefore, the Park Authority do not consider that there would be any significant adverse impact on the setting or special qualities of the National Park arising from the proposed development and it would not be harmful to the public's experience of the natural beauty, wildlife and cultural heritage of the National Park. Notwithstanding this assessment of the scheme by National Park Officers, which focuses on visual impact and intervisibility, it is the view of Officers that the development would be inherently encroaching in the open countryside and have a significant impact on the landscape character of this area. This impact would be experienced by those walking in this area on footpaths and roads that link into and out of the National Park and thus have an impact on their enjoyment of the countryside lying close to the National Park.
- 7.12 The applicant has advised that the site could be screened and has undertaken some planting. These are conifer trees which will provide an all year round screen to the site but are a wholly inappropriate tree species to a field boundary. Therefore, in order for the site to be screened in an appropriate manner, as advocated in the District Council's Landscape and Design Supplementary Planning Document (2007) it would be expected that such boundary and screen planting would be with native tree species befitting the locality. Such landscaping would be principally deciduous and would need to be significant in depth and would take time to establish.
- 7.13 As such, the development would be apparent in views of the site for many years while landscaping became established to become an effective screen of the site. The indicative proposals also show the site open to immediate view from the adjacent public footpaths and the landscaping suggested would also be unlikely to screen the development from views gained from the higher levels to the south and west of the site and which include views from the National Park.

- 7.14 Whilst there are significant developments in the landscape which are harmful to the character and appearance of the area, particularly the industrial developments at Enthovens and Forticrete, these are nevertheless established developments. Enthovens is clearly visible in the landscape but, as the hamlet is approached from the east, this development is left behind and separated from the application site with a significant landscaped buffer. Forticrete is also set back from the road and softened by established perimeter screening. To this end, it is considered that the immediate area of the site appears as a hamlet of dwellinghouses set within a rural landscape of open fields and woodland and it is considered the proposed development of 14 camping pods would be a significant and harmful unwarranted encroachment and intrusion into this landscape.
- 7.15 In addition, the car parking area would also create a harmful intervention with the potential for a significant number of parked cars which would be open to view and the parking area would also be out of scale with the few dwellinghouses in the vicinity in which it would be also be viewed. The bin store is also detailed adjacent to Oldfield Lane and concern is raised as to how the bins would be screened in such a prominent location and this element of the proposals should be given further consideration. Given all these matters, the proposals are considered harmful to the character and appearance of the open countryside and are contrary to Policies S1, S4, PD1, PD5, EC8 and EC9 of the Adopted Local Plan (2017).

Impact on Amenity

- 7.16 There are several properties close to the site which will be impacted upon by the development. Policy EC9 of the Adopted Local Plan states

Development proposals for new holiday chalets, touring caravan and campsite developments will be permitted provided that:.....

- d) The development would not adversely affect the amenity, tranquillity or public enjoyment of any adjacent area.*

- 7.17 Even in the case where the site was well managed, it is considered that the noise and disturbance generated by the holidaymakers who are enjoying their holiday and who are coming and going in their cars during their visit, will be likely to harm the amenities of the local residents. There is also the potential for a loss of privacy given the proximity of the site to residential curtilages and, in the event of anti-social behaviour, the potential for conflict between holiday makers and local residents. The access has a cattle grid and, given the level of traffic that could be associated with the site, the noise from vehicles crossing it could also cause some nuisance. Given the above, the proposal is considered likely to be harmful to the amenity of the area, both for local residents and for persons using the public footpath network and enjoying the tranquillity of the countryside, and contrary to the aims of Policies S1, S4, PD1, EC8 and EC9 of the Adopted Local Plan (2017).
- 7.18 There are two industrial sites (Forticrete and Enthovens) in the area which have the potential to generate noise. Whilst this has not been identified as an issue of concern by local residents, it is nevertheless considered that a noise impact assessment should have been provided by the applicant in order to assess the likelihood of disturbance to the camping site and to ensure any mitigation measures would be appropriate and achievable. As this information has not been provided, any impacts that may occur cannot be fully assessed. As such, the proposal is contrary to Policy S1 of the Adopted Local Plan (2017).

Impact on Highway Safety

- 7.19 The Local Highway Authority has assessed the proposals and advised that adequate visibility splays to serve the car park do not seem achievable over controlled land. The

proposed access also emerges onto the radii of an existing access which carries a public right of way. This should be separate to this access and not increase vehicular activity on the public right of way.

- 7.20 In addition, if the site were to be popular, there is concern that that one parking space per camping pod may be inadequate as the accommodation can sleep up to 6 persons. This could lead to pressure to park on the relatively narrow Oldfield Lane or, more likely, to park adjacent to the camping pods as visitors would be likely to wish to have their vehicle in close proximity to their accommodation, particularly in inclement weather. However, such a scenario would again further detract from the character and appearance of the rural landscape.

Impact on Ecology

- 7.21 Derbyshire Wildlife Trust (DWT) has considered the application and has raised concern that no ecological information has been provided to accompany the application. DWT has recommended that, prior to determination of the application, a (non-EIA) Ecological Impact Assessment is undertaken in order to establish the habitats that are present and to determine the presence or absence of protected species. This should have been submitted by the applicant with the planning application given the scale of the development, its nature and its location in the open countryside. DWT also note that existing trees do not appear to be identified on the proposed plan and request clarification on this and advise that every effort should be made to retain mature trees in the scheme design.
- 7.22 DWT therefore recommend survey work should be undertaken by a suitably qualified and experienced ecologist and be supported by a desk study. In the absence of such information, the proposal fails to demonstrate compliance with Policies S1 and PD3 of the Adopted Local Plan (2017).

Drainage

- 7.23 There is a watercourse that runs to the south of the site and there is some concern with regard to how this may be affected by foul water drainage emanating from the application site. The applicant has advised that this would be by way of a septic tank but no further details have been provided. Therefore, it is considered reasonable to attach a condition to any grant of planning permission with regard to the specific facility that will be required to serve such a development. In addition, the foul drainage may require a permit from the Environment Agency.

Conclusion

- 7.24 There is policy support for developing tourism accommodation and facilities in the District and the proposal would bring some local economic benefits, through visitor spend and by creating some jobs in connection with the operation of the site. It would, therefore, accord in part with Local Plan Policies S1, EC8 and EC9 insofar as it supports development that would assist the growth of tourism.
- 7.25 However, there is no substantive evidence which clearly identifies a specific or quantifiable demand or need for holiday accommodation of the type proposed in this general location and, even if there were a quantifiable need or demand, there is no substantive evidence to indicate that it would not be possible to find a more sustainable site within or closer to nearby settlements. Consequently, although the proposal would bring some economic and tourism benefits, this is not considered to carry significant weight in support of the proposal in such an isolated rural location.
- 7.26 It is considered that the development would be inherently unsustainable in this location and encroaching in the countryside and visually harmful to its character and appearance. The camping pods encroach into the landscape and would take a significant period of time

to screen from view. Once screened from outside of the site, there would still be an increase in comings and goings from the site and the impacts of noise and general disturbance that would harm the relative tranquillity and amenity enjoyed by local residents and walkers enjoying the countryside.

7.27 The application fails to demonstrate adequate provision of visibility splays, raises a potential for conflict with vehicles and persons using the public rights of way. In addition, the applicant has failed to adequately demonstrate that the proposals will not lead to harm to protected species and the biodiversity interest of the site. There are also matters of concern with regard to the lack of ecological and noise assessment for the site. The applicant could have been requested to address some of these concerns but, given the fundamental policy principle objections to the proposal, it is considered reasonable to attach these as reasons for refusal which the applicant could then address if minded to appeal a refusal of planning permission. Given the above, it is recommended that the application be refused planning permission.

8 RECOMMENDATION

That planning permission be refused for the following reasons:

1. The proposed development would be located in an open countryside locality with limited access to shops and services on foot, by cycle or public transport. As such, it is considered that most visitors would be heavily reliant on the use of the private car during their stay, contrary to the aims of promoting sustainable tourism and the proposals are therefore contrary to Policies S1, S4 and EC9 of the Adopted Derbyshire Dales Local Plan (2017).
2. The development would be an unwarranted and encroaching development that would introduce a level of built form and associated infrastructure that would be an uncharacteristic form of development in this rural location. It would detract from the character and appearance of the immediate countryside and the interrelationship with the Peak District National Park and how the approach to the National Park is appreciated. As such, the proposals are contrary to Policies S1, S4, PD1, PD5, EC8 and EC9 of the Adopted Local Plan (2017).
3. The development would introduce a level of activity and disturbance into this relatively tranquil area that could be harmful to the amenity of local residents and persons enjoying the open countryside. As such, the proposals are contrary to Policies S4 and EC9 of the Adopted Derbyshire Dales Local Plan (2017).
4. The proposed development, if permitted, would involve the creation of a new vehicular access to Oldfield Lane (CIII) which would introduce traffic movements to and from the public highway at a point where emerging visibility is severely restricted due to the alignment of the road and third party land, thereby leading to danger and inconvenience to other highway users. As such, the proposals fail to comply with Policy S4 of the Adopted Derbyshire Dales Local Plan (2017).
5. The application is not accompanied by sufficient ecological information to determine the level of impact upon protected and notable species to enable the Local Planning Authority to reach an informed decision in line with current legislation. As such, the proposals are considered contrary to Policy PD3 of the adopted Derbyshire Dales Local Plan (2017).
6. The application is not accompanied by sufficient information to determine the level of impact upon the occupiers of the camping pods from noise that may emanate from the nearby industrial sites to enable the Local Planning Authority to reach an

informed decision as to whether the development could result in complaints with respect to those business operations. As such, the proposals are considered contrary to Policy S1 of the adopted Derbyshire Dales Local Plan (2017).

NOTES TO APPLICANT:

1. The Local Planning Authority considered the merits of the submitted application and judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.
2. This decision notice relates to the following documents:

Site Location Plan 1:1250 received on 30th May 2018
Block Plan 1:750 received on 30th May 2018
Proposed Site Plan 1:200 received on 30th May 2018
Design and Access Statement received on 30th May 2018

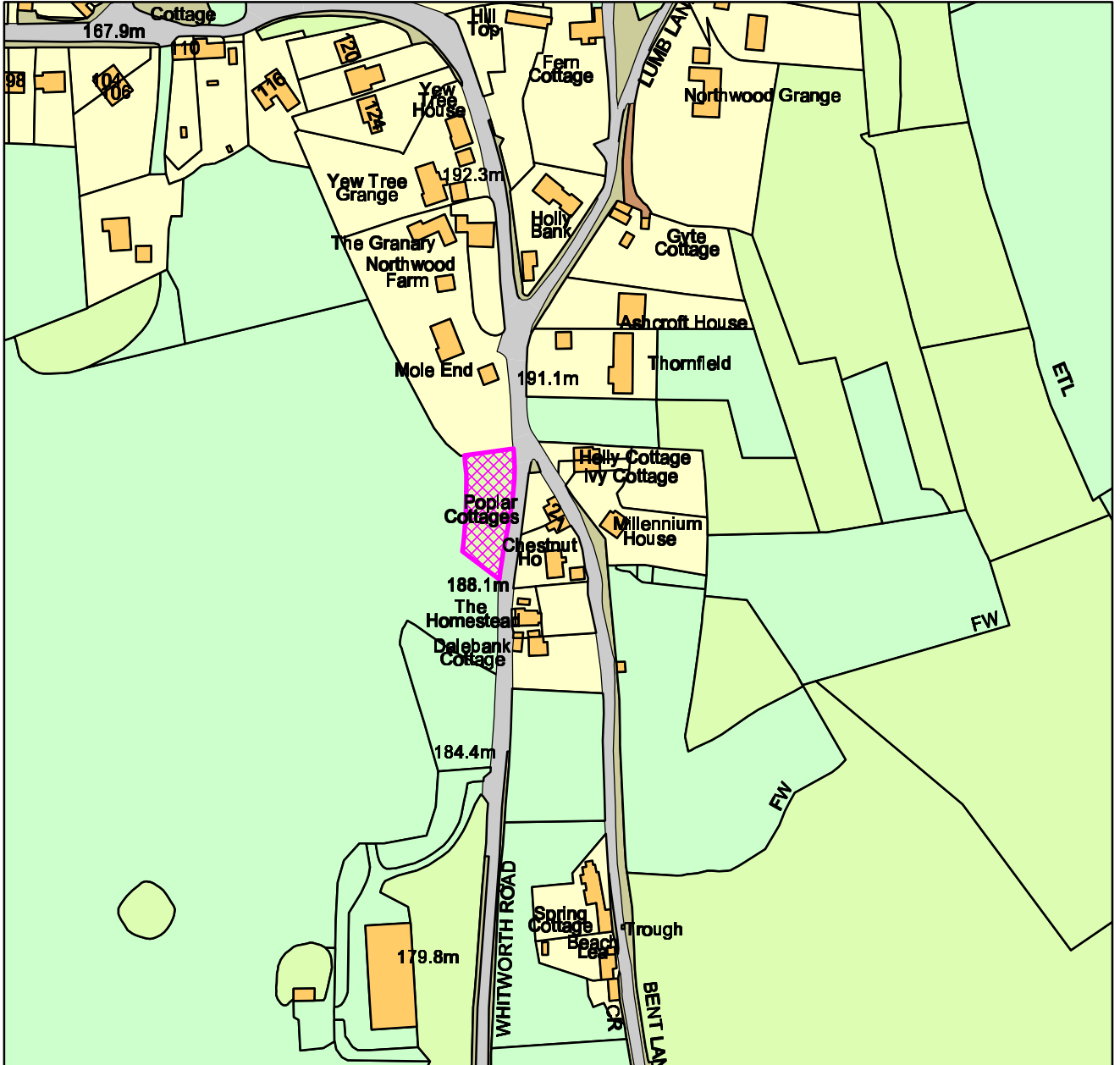
APPLICATION NUMBER		18/00547/REM	
SITE ADDRESS:		North Park Farm, Whitworth Road, Darley Dale	
DESCRIPTION OF DEVELOPMENT		Approval of Reserved Matters for the Erection of One Dwelling (Outline Application 17/00995/OUT)	
CASE OFFICER	H Frith	APPLICANT	Mr G Lowe
PARISH/TOWN	Northwood and Tinkersley	AGENT	Mr R Yarwood
WARD MEMBER(S)	Cllr J Wild	DETERMINATION TARGET	17.07.18
REASON FOR DETERMINATION BY COMMITTEE	Due to extent and content of submitted representations.	REASON FOR SITE VISIT (IF APPLICABLE)	To allow Members to appreciate the prevailing character and appearance of the area.

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none"> - Principle of development - Visual impact - Highway safety - Impact on residential amenity - Ecological impacts

RECOMMENDATION
Refusal

18/00547/REM

North Park Farm, Whitworth Road, Darley Dale



Derbyshire Dales DC

1:2,500

Date: 02/08/2018

100019785

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Derbyshire Dales District Council,
Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN.
Telephone: (01629) 761100.
website: www.derbyshiredales.gov.uk

1. THE SITE AND SURROUNDINGS

- 1.1 The application site is a small plateau of land adjacent to a cluster of dwellings bounded by a stone wall and with open views across the valley to the west. The site sits within a larger area of open land to the west of the stone boundary wall which fronts Whitworth Road. The area to the west of the highway is generally undeveloped open countryside. The site is within the settlement framework boundary for Northwood as defined by the Adopted Local Plan 2017.



2. DETAILS OF THE APPLICATION

- 2.1 Outline planning permission was granted for the erection of a dwelling on this site in early 2018. That permission was outline with all matters reserved for subsequent approval. This application now seeks approval of those reserved matters including access, appearance, landscaping, layout and scale. The proposed dwelling would be sited towards the northern end of the site with access provided to the southern end of the site and parking centrally located to the side of the dwelling. The boundary wall to the frontage of the site would be set back to allow for a visibility splay.

The proposed dwelling would be four bedroomed accommodation with a kitchen/dining room and living room on the ground floor with study, utility and WC. To the upper floor there would be the four bedrooms, two no. e-suites and a dressing room and bathroom.

The dwelling would be of an elongated rectangular form with centrally projecting gable to the frontage. A mix of windows sizes are proposed to the front, south side and rear elevations with two larger glazed openings to the rear giving access to the garden.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

1. Adopted Derbyshire Dales Local Plan (2017)
 - Policy S1 : Sustainable Development Principles
 - Policy S2 : Settlement Hierarchy
 - Policy S3 : Development Within Defined Settlement Boundaries
 - Policy HC1 : Location of Housing Development
 - Policy PD1 : Design and Place Making
 - Policy PD3 : Biodiversity and the Natural Environment
 - Policy PD5 : Landscape Character
 - Policy HC19 : Accessibility and Transport
 - Policy HC21 : Car Parking Standards
2. National Planning Policy Framework
National Planning Practice Guidance

4. RELEVANT PLANNING HISTORY:

17/00995/OUT Erection of dwelling (Outline) – Permitted with conditions

5. CONSULTATION RESPONSES

Parish Council

- 5.1 No comments to make

Derbyshire County Council (Highways)

- 5.2 As you will be aware, the Highway Authority raised no objections to the outline application for a single dwelling on this site. Whilst the proposed layout of the dwelling has been modified, the proposed access location has remain unchanged. Whilst the recommended 2.4m x 33m emerging visibility sightlines have not been included on the submitted drawings, given the land within the applicant's control where it fronts Whitworth Road, the sightlines are achievable. Therefore, if your Authority is minded to permit the application, it is recommended that conditions are included in any consent in the interest of highway safety.

Derbyshire Wildlife Trust

- 5.3 As part of the initial planning application the applicant did not undertake a full ecological survey as recommended. Our previous comments noted:

"It is disappointing that a full Ecological Appraisal was not carried out, as the potential for the site to support other protected species has not been properly assessed. However, given the size of the site, existing record in our data sets and the information provided in the Badger report, we consider that additional safeguards can be secured through planning conditions."

It transpires that these safeguards have not been enacted as the site has been cleared without a Method Statement in place, which shows a disregard for protected species legislation. This action is in breach of condition 12 and whilst any legal action is unlikely to be successful we advise that additional enhancement measures should be secured as part of condition 12. We recommend an ecologist visit the site to determine how to proceed with condition 11 to ensure excavations are made safe for wildlife, particularly Badgers.

6. REPRESENTATIONS RECEIVED

- 6.1 Nine letters of objection have been received from five local residents, their comments are summarised as follows:-

Height, appearance and scale of the proposed dwelling:

The height of the building is critical to neighbouring residents and to views from the Peak Park.

The detail on levels as submitted raises concerns regarding the overall height of the building. Both Mole End and Northwood Farm have upstairs window sills at around road level, will the house be at a similar level? If so, access will be difficult.

The scale of the building is of concern at over 3 and half times the size of the nearest 4 houses.

The proposed dwelling due to its scale, will dominate the area and ruin the outlook for all.

The Outline stated that the floor area would be 120 sq m it is now around 250 sq m.

The Outline stated that no existing landscape features would be lost, most of the hedge has been dug up and the remaining hedge will be destroyed when the foundations and retaining wall are dug out.

The house is too big for the plot, comparative to neighbouring dwellings.

The house could be at least 4m below road level.

There are no trees on site to screen the development. There was a TPO tree on the site which has been removed.

The design of the house could be contemporary with most of the building being hidden below the road level, this would be in accordance with the statement on the Outline application.

The size of the property is out of keeping with the site and local area.

The gable height would be between 7.5 and 8m

The Outline application said the proposed dwelling would be contemporary and split level, however the Planning Committee went against this and have caused more animosity.

When considered by the planning committee the level of expertise is reduced and it is up to the Planning Officer to provide impartial guidance to that a decision considers all aspects of the case.

Common sense and compromise must prevail, given the extent of objection more could have been done by the planners, we need development all can be proud of which will enhance our neighbourhood.

The building should be constructed into the bank to reduce impact.

This proposal will be like the titanic on a sea of smaller boats!

New development should work with the existing setting.

The place analysis document within the Darley Dale Neighbourhood Plan emphasises that dwellings should nestle into the hillside and sit into the topography.

The dimensions, floor area and design should revert to that specified in the outline application. The ridge height should not exceed 7m and the dwelling should be nestled into the site.

The submission is not consistent with the Outline permission.

Detailed levels and cross sections are required to fully describe the landscaping of the site.

Highway Safety:

The road is single track and restricted by a stone wall opposite the proposed access.

In the Outline application the highway officer reported approximate speeds of 25mph, I have seen much faster speeds than this. I believe there was a van parked nearby when the officer visited the site which would have reduced speeds.

I am concerned about the safety of pedestrians, cyclists and horse riders using the area, as the development is likely to lead to accidents.

Access to the site would be better from the existing farm, thereby keeping the integrity of the lane.

The proposed layout will increase the width of the road, but this is likely to lead to increased vehicle speeds.

Whitworth Road at the junction with Bent Lane will still be narrow and has the national speed limit.

A further detailed survey of vehicle speeds should be carried out.

Insufficient detail:

The officer should visit the properties to see the impacts of the development, the previous comments of the landscape officer were incorrect.

There are no measurements on any of the plans, no levels or cross sections and no details of the retaining walls which will be required.

Loss of view:

I would like my view of the valley to remain.

The loss of view will reduce the value of my property.

Views could be retained over the top of the proposed dwelling.

The view from existing properties would be adversely affected.

I have enjoyed living here for 30 years and my house has been here for 200 years with uninterrupted views.

Other:

There has been a breach of planning control at the site in respect of condition 11. As a result of this any new permission should give clear direction regarding reserved matters which reinforces the outline permission.

The outline permission required the submission of the walling to the front of the site, this has not been submitted.

The site has been relevelled by the applicant using a JCB, some of the spoil shifted has spilt over onto neighbouring land, a retaining wall is necessary to ensure this does not occur again.

All hedgerows should be retained.

The site has been relevelled by the applicant using a JCB, some of the spoil shifted has spilled over onto neighbouring land, a retaining wall is necessary to ensure this does not occur again.

7. OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of development
- Visual impact
- Highway safety
- Impact on residential amenity
- Ecological impacts

Principle

- 7.1 The principle of the erection of a single dwelling on this site is established by the Outline planning permission 17/00995/OUT and its associated conditions. That permission reserved all matters for subsequent approval. The approval of those reserved matters is now sought. Whilst the principle has been established the detail of the proposed development is required to be fully assessed as part of this proposal.

Visual Impact

- 7.2 The design concept chosen for the proposed dwelling as submitted in this application is of a traditional building and therefore the design should be considered in terms of the impacts upon the prevailing character and appearance of the area specifically in respect of the prevailing building traditions within the locality and the relationship of building size to the plot size.

- 7.3 Darley hillside is an area of sporadically placed dwellings situated along established contours of the landscape with dwellings either front or side facing onto the highway. The dwellings in the immediately area of the site which make up the prevailing character and appearance of the area typically consist of larger detached dwellings in large scale plots or smaller dwellings in much more constrained plot sizes. In terms of their architecture these properties are generally of a simple rectangular form with narrow gable ends and either double fronted design or with doors located to the side of the front elevation and windows with a vertical emphasis placed proportionally within the elevations. All traditional designs in the locality have a high proportion of walling to windows. Generally houses are of coursed stone walling with slate to the roof and timber windows.
- 7.4 The proposal is a larger scale dwelling sitting within a constrained plot size which is contrary to the typical relationship of dwelling scale to plot size found within the locality. The dwelling is of an elongated form at a 14.7m width to the frontage with a gable end width of 7.5m which is wider than a traditional gable. The design displays a high proportion of walling to windows but with no traditional pattern or style of windows. The large gable feature to the frontage of the building is again contrary to the prevailing character of buildings within the locality. As such it is considered that a dwelling of the footprint proposed on this constrained plot size, with elongated form and over wide gable with gable feature to the frontage is contrary to the prevailing character of dwellings and their plots within this locality and as such would result in a prominent and incongruous form of development harmful to that prevailing character and appearance. This is contrary to the requirements of policies S1, S3 and PD1 of the Adopted Local Plan 2017. Whilst condition 9 of the Outline permission advises that the dwelling shall be a two storey traditional dwelling it is not considered that this submission successfully meets this requirement.

Highway Safety

- 7.5 Whilst a reserved matter the Local Highway Authority considered the impacts of an access in the location proposed as part of the Outline application. The Local Highway Authority raised no concerns at that time and recommended conditions relating to the provision of the access. In this reserved matters application, where access is being considered in detail, the Local Highway Authority have considered the proposal and have commented that "Whilst the recommended 2.4m x 33m emerging visibility sightlines have not been included on the submitted drawings, given the land within the applicant's control where it fronts Whitworth Road, the sightlines are achievable". Therefore whilst concerns have been raised by local residents in respect of the safety of highway users including pedestrians, cyclists and horse riders, given the safety of the access considered by the Local Highway Authority the access is considered acceptable in accordance with adopted planning policy subject to detailed conditions.
- 7.6 It is noted that condition 8 of the Outline permission require details of the boundary walling to the frontage of the site to be submitted and considered as part of this reserved matters application. Such information has not been submitted and whilst this is regrettable it would be possible to request this information via condition.

Impact on Residential Amenity

- 7.7 Given the detached nature of the site distinct from adjacent properties to the north and across the road to the east, it is considered that the design of the dwelling as detailed in this submission would not result in any amenity impacts which would warrant the refusal of the application. The cross sections of the site show that the building would be set down into the site and would only project 4.5m above the level of the highway and as such would not impose unreasonably upon existing properties on the opposite side of the road. Whilst the concerns of neighbours in respect of loss of view are noted, the devaluation of existing properties as a result of this is not a planning matter that can justify refusal of an application.

As such the proposal is considered acceptable in terms of amenity impact in respect of Policy PD1 of the Adopted Local Plan 2017.

Ecological impacts

- 7.8 It is acknowledged that site clearance had taken place on this site earlier in the year without providing the method statement required by condition 11 of permission 17/00995/OUT. Based on legal advice obtained at the time it was not possible to pursue this clearance as a breach of planning control. As a result of this Derbyshire Wildlife Trust have advised that additional enhancement measures should be secured as part of this application due to the potentially harmful clearance that has taken place. In this respect whilst there is no fundamental ecological objection to the proposed development it would be reasonable to impose a further condition regarding ecological enhancements as part of the reserved matters submission. In this respect the proposal is considered to be acceptable in accordance with policy PD3 of the Adopted Local Plan 2017.

Conclusion

- 7.9 Whilst the principle of a two storey detached dwelling on this site has been accepted through the Outline permission, the design and appearance of that dwelling and the relationship to its plot should still accord with policies S1, S3 and PD1 of the Adopted Local Plan 2017. It is considered that the large scale of the proposed dwelling, in association with the constrained plot, results in a form of development that is contrary to the typical relationship of dwelling scale to plot size found within the locality. The submitted design of the proposed dwelling with its pattern of fenestration, elongated form, over wide gable and gable feature to the frontage is contrary to the prevailing character of dwellings within this immediate area. For these reasons it is considered that the proposal would result in a prominent and incongruous form of development harmful to the prevailing character and appearance of the locality. This is contrary to the requirements of policies S1, S3 and PD1 of the Adopted Local Plan 2017. Whilst concerns have been raised regarding the height of the dwelling on the site and highway safety impacts these matters are considered acceptable subject to detailed conditions.

8. RECOMMENDATION

To refuse planning permission for the following reason:

The submitted design and scale of the proposed dwelling on this constrained plot, with its pattern of fenestration, elongated form, over wide gable and gable feature to the frontage is contrary to the prevailing character and appearance of dwellings within this immediate area and as such would result in a prominent and incongruous form of development harmful to the prevailing character and appearance of the locality. As such the proposal is contrary to the requirements of policies S1, S3 and PD1 of the Adopted Local Plan 2017

9. NOTES TO APPLICANT:

- 9.1 The Local Planning Authority considered the merits of the submitted application and judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.
- 9.2 This decision notice relates to the following documents:
Letter from agent dated 20.07.18
Cross section AA (viewed to South) received 23.07.18

Land levels plan received 23.07.18
Proposed plan GL 18.01 received 22.05.18
Layout plan GL.18.02 received 22.05.18
Location plan received d22.05.18

APPLICATION NUMBER		18/00054/FUL	
SITE ADDRESS:		Wirksworth Baptist Church, Coldwell Street, Wirksworth	
DESCRIPTION OF DEVELOPMENT		Change of use of ground floor from D1 to C3 (residential use) and first floor from D1 to A3 (restaurant/cafe use)	
CASE OFFICER	Mr. G. A. Griffiths	APPLICANT	Mr & Mrs Barrett-Thompson
TOWN	Wirksworth	AGENT	Indigo Architecture Limited
WARD MEMBERS	Cllr. Mrs I Ratcliffe Cllr. M. Ratcliffe Cllr. P. Slack	DETERMINATION TARGET	13 th March 2018
REASON FOR DETERMINATION BY COMMITTEE	Number of unresolved objections	REASON FOR SITE VISIT (IF APPLICABLE)	Not applicable - Previously visited

MATERIAL PLANNING ISSUES

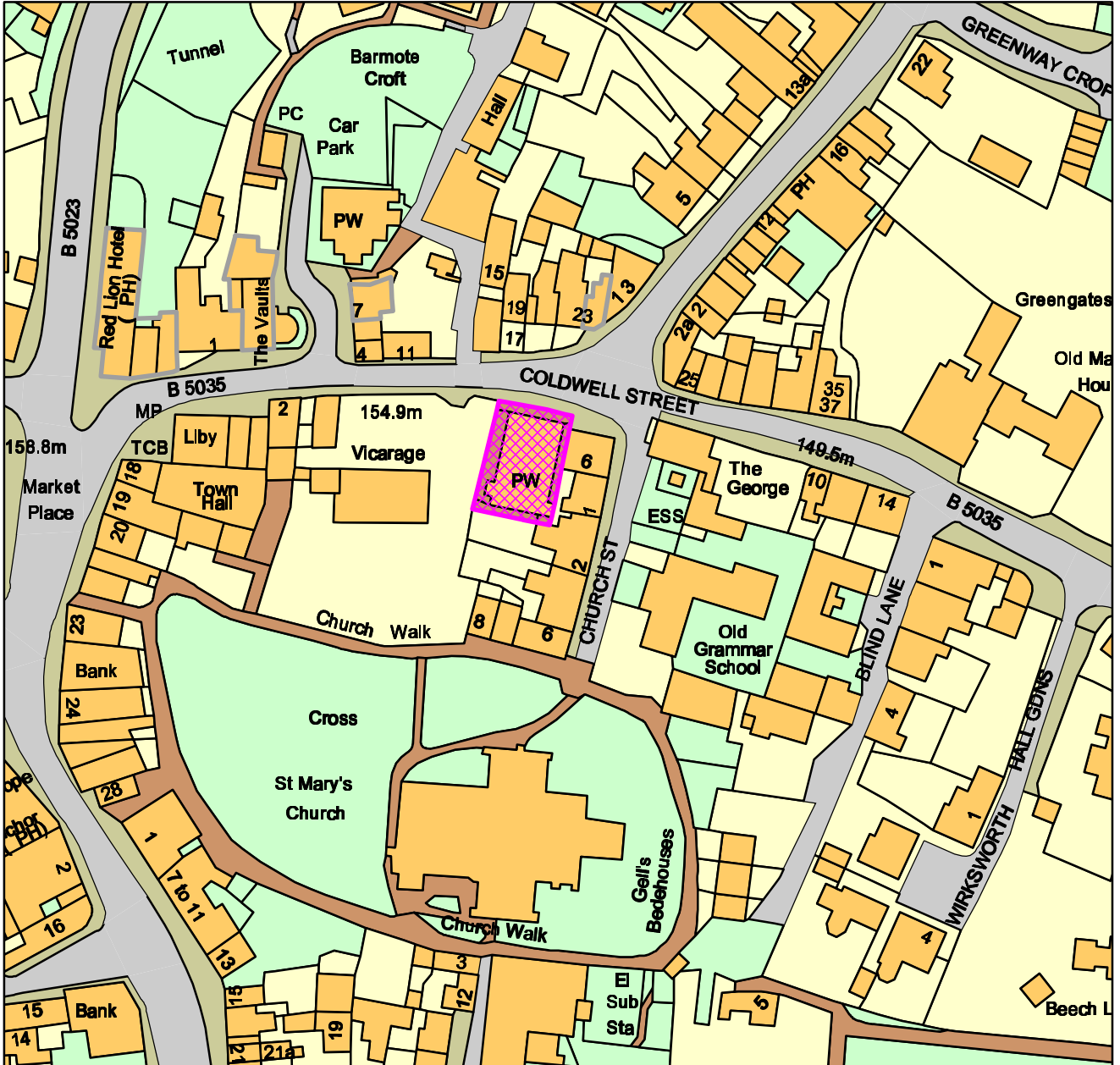
- The principle of the development
- Loss of a community facility
- Impact on the character and appearance of the Wirksworth Conservation Area
- Impact on neighbours' amenity
- Highway matters

RECOMMENDATION

Approval

18/00054/FUL

Wirksworth Baptist Church, Coldwell Street



Derbyshire Dales DC

Date: 02/08/2018

100019785

1:1,250

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Derbyshire Dales District Council,
Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN.
Telephone: (01629) 761100.
website: www.derbyshiredales.gov.uk

1. INTRODUCTION

1.1 This application is being re-presented to the Planning Committee further to its deferral at the meeting in April 2018. Officers had recommended the application be refused for the following reason:

1. The applicant has failed to demonstrate that the building is no longer required to serve the needs of the community, that the facility is no longer financially or commercially viable through appropriate marketing or has been offered to the local community for their acquisition/operation at a realistic price. As such proposal is contrary to Policy HC15 of the Adopted Local Plan (2017) and to Policy NP11 of the Wirksworth Neighbourhood Development Plan (2015-2028).

1.2 Further to the deferral of consideration of the application, the applicants have now submitted further information with regard to the marketing of the site and further justification as to why they consider the application should be favourably considered.

2. THE SITE AND SURROUNDINGS

2.1 The church was built in 1885-86 (designed by the architect John Wallis Chapman of London) and is an impressive and prominent building in this part of the Wirksworth Conservation Area. The building is also covered by the Wirksworth Article 4 Direction. The buildings design is such that there is a ground floor (possibly used as a Sunday School) with a worship space above it at first floor. The building remains more or less intact and contains its original obscured, coloured, leaded glazing to the upper parts of the building.

2.2 It ceased to be used as a place of worship a few years ago and has now been sold.





3. DETAILS OF THE APPLICATION

- 3.1 Full planning permission is sought to convert the ground floor of the church to residential accommodation and to convert the former worship space into a café/bistro. There are no proposed external changes to the building. The applicants are currently converting the basement to a dwelling unit, albeit without planning permission. As such, this application is also part retrospective to address this matter.
- 3.2 Further to the deferral of consideration of the application, the applicants have now submitted further information with regard to the marketing of the site and a justification as to why they consider the application should be favourably considered. The applicants' agent advises that he has spoken directly with the previous church owner who confirmed

that the church was sold owing to diminishing congregation and it no longer being viable as a church. The Baptist church has worked with the Methodist church to agree to share the Wellspring venue to allow both congregations to continue.

- 3.3 The additional information submitted also includes a schedule of advertising and the auctioneers (Fidler Taylor) catalogue to evidence the marketing. The marketing campaign commenced on 5th September 2014 and the auction held on 16th October 2014. The premises is advised to have also been marketed on Rightmove and Zoopla. The applicants do not have a photo of the building with the signboard up but they advise that the auctioneer has confirmed that a large sign was in place during the marketing process.
- 3.4 The applicants advise that no parties at the auction proposed to retain the use of the premises as a place of worship and no other potential community use presented any form of bid at the auction to suggest a future use within Class D1 was viable.
- 3.5 It is noted by the applicants that Policy HC15 requires a 12 month marketing exercise. The applicants advise that the marketing exercise was undertaken by previous owners unrelated to the current application. The applicants considered that the building being made available at auction, preceded by a comprehensive local marketing exercise (albeit not for 12 months) would be sufficient to demonstrate that it was made available to the local community at a more than realistic price. The premises was marketed with a guide price of between £100,000 to £150,000; it ultimately sold for £162,000. The auction details advised that the property was suitable for a wide variety of uses but is offered for sale 'subject to its existing use with prospective purchasers needing to satisfy themselves regarding alternative uses.'
- 3.6 It is also advised that the building was sold with many of its facilities stripped out thus making the investment in the building more onerous. The applicant advises that churches are heritage assets that no longer have the same level of demand for use as places of worship and there are many examples of conversions to other uses. The applicant considers that the Church does not lend itself to becoming many of the facilities identified under Use Class D1, such as a nursery or health care and there appears to be no demand for use as a library or museum.
- 3.7 The applicants refer to Policy HC15 which identifies public houses as a community use and, therefore, they consider that a restaurant use may similarly provide a community use as the bistro will serve the community. The applicants also advise the use of the building as a public house would have potential for more disturbance than is being proposed for the residential/bistro use. Reference is also made to the Wirksworth Neighbourhood Development Plan where it advises that the local community will continue to thrive only if it accepts change in order to resist the causes of decline. The applicant therefore concludes that, as a church, the building was a place for congregation and it is perhaps most fitting that this bistro will provide an alternative setting where people can continue to congregate.
- 3.8 The applicant has submitted amended drawings and additional information which have addressed the following matters raised in the previous Officer report:
 - the window which was incorrectly detailed on the floor plans as existing has been removed from the drawings and from the proposals;
 - the toilet facilities have been repositioned to near the entrance into the 'hall' in order that they do not intervene in the hall space;
 - details have been provided of where refuse will be stored and collected from;
 - the opening hours have been clarified as being 7pm to 11pm on Friday and Saturday evenings; and
 - it is confirmed that there will be no live music at the premises and that it will not have an ancillary use as a bar.

4. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 4.1 Adopted Derbyshire Dales Local Plan (2017)
- S1 Sustainable Development Principles
 - S3 Development within Defined Settlement Boundaries
 - S7 Matlock/Wirksworth/Darley Dale Development Area Strategy
 - PD1 Design and Place Making
 - PD2 Protecting the Historic Environment
 - HC8 Conversion and re-use of Buildings for Residential Accommodation
 - HC15 Community Facilities and Services
 - HC21 Car Parking Standards
 - EC1 New Employment Development
 - EC6 Town and Local Centres
- 4.2 Wirksworth Neighbourhood Development Plan (2015-2028)
- NP2 Quality and Character of Development within the Settlement
 - NP5 Principal Residence Homes
 - NP6 Quality of Residential Development
 - NP7 Energy-saving Standards for New Dwellings
 - NP11 Loss of Existing Facilities and Open Spaces
 - NP16 Energy-saving Standards for Non-Residential Development
- 4.3 National Planning Policy Framework
- 4.4 National Planning Practice Guidance

5. RELEVANT PLANNING HISTORY

- 5.1 None.

6. CONSULTATION RESPONSES

Town Council

- 6.1 - not demonstrated that the asset, as a whole, is no longer viable as required by Policy NP11 nor that all possible options have been explored to maintain the community use and therefore the proposal conflicts with the neighbourhood plan
- may exacerbate the already short supply of car parking in the immediate vicinity
 - if approval granted, request that the issues of noise be addressed with planning conditions.

Environmental Health (DDDC)

- 6.2 - must comply with food safety and health and safety regulations.
- request further information with regard to the following:
 - kitchen ventilation/extraction system
 - noise and odour control
 - hours of operation
 - provision for smoking outside the premises
 - details of mitigation of noise from live music
 - delivery times for supplies

Local Highway Authority (Derbyshire County Council)

- 6.3 - no objection
- given the former use, the town centre location and Traffic Regulation orders restricting on-street parking in the vicinity, it is considered that any objection based on the lack of parking would not be sustainable at appeal

- there should be no signage or external seating located within the highway
- any external lights should be restricted in terms of luminance and be static and shielded to prevent dazzle or distraction to passing highway users
- will need to consult refuse collection department in terms of the number and location of bins for both of the proposed uses of the building and a bin storage area for collection days should be provided clear of the highway.

Design and Conservation Officer (Derbyshire Dales)

- 6.4 - no objection

7. REPRESENTATIONS RECEIVED

7.1 A total of seven letters of representation have been received objecting to the proposal. A summary of the representations is outlined below:

- kitchen directly overlooks neighbour's garden
- people working in the kitchen, who are not residents of the property, will be able to look over the garden
- noise from the kitchen
- noise from live music with no details of what is meant by 'low-key' – what would this mean in decibels?
- noise from patrons leaving late at night
- disturbance causing a loss of sleep to children residing in dwellinghouse opposite
- continual access and egress of customers will contribute to noise in a street that is quiet during the evening
- there are over a dozen properties within 15m of the chapel which will be affected
- smells/grease from extraction system would be emitted into neighbour's garden
- loss of privacy to lounge and 2 bedrooms as directly opposite the front of the chapel – feel will have to have curtains closed in the evening
- concerned with regard to the arrangements for smokers who will congregate at the front of the building looking into house opposite
- no proposed opening times
- noise from church services could be heard in neighbour's property on the opposite side of Coldwell Street – live music in the evening would impact on ability to relax and sleep in own home and no noise reduction measures are proposed
- no details of signage or additional lighting which would substantially impact on amenity
- Coldwell Street already congested with cars due to resident parking – café/bistro would add to the problems
- additional parking on the road and North End have restricted the passing of larger vehicles – particularly concerned with obstruction to emergency service vehicles
- there are currently two former banks and a bistro that are vacant on the high street which are within a parade of shops and restaurants which would be more suitable for the use and not require the conversion of a heritage asset
- design and access statement states that the building does not allow ease of access to the first floor level for wheelchair users – Equalities Act 2010 requires high quality disabled access and current vacant buildings are, or could be made, compliant
- Wirksworth Neighbourhood Plan requires that all possible options be explored to maintain community use for buildings, this chapel being one of them and do not believe all uses within Use Class D1 have been explored
- matter of trade effluent has not been addressed
- no details of ventilation or air-conditioning units submitted and would expect these to be installed on the exterior of the building
- no details of the number of covers
- concern not just about existing ownership but what changes could come upon a change of ownership

- no objection to change of use of the ground floor to a dwelling.

7.2 One letter of representation has been received from a resident of Heanor supporting the proposal. A summary of the representation is outlined below:

- restoration of the church is a great idea – so many old buildings go to ruin
- a low key restaurant/café where the community can enjoy the architecture and history of the building is great idea.

8. OFFICER APPRAISAL

The Principle of the Development

- 8.1 The site is within a town centre location where the re-use of redundant premises for commercial uses is normally supported. However, this premises has a form of community use, albeit this would be restricted to how the church may engage with the community. In addition, permitted development rights allow for the building to be used within Class D1 of the Town and Country Planning (General Permitted Development) Order 2015 (England) (as amended) to include libraries, health centres, crèches, day nurseries, day centres, schools, museums, libraries, halls and non-residential education and training centres, for example.
- 8.2 Policy HC15 advises that the District Council will seek to maintain and improve the provision of local community facilities and services (including places of worship) and changes of use will only be supported where the existing use is no longer needed to serve the needs of the community, the existing facility is no longer financially or commercially viable, as demonstrated by a robust and comprehensive marketing exercise (having been marketed at a realistic price for a continuous period of at least 12 months immediately prior to the submission of the planning application) and the use or facility has been offered to the community for their acquisition/operation at a realistic price. Regard also needs to be given to Policy NP11 (Loss of Existing Facilities and Open Spaces) of the Wirksworth Neighbourhood Development Plan (2015-2028). This requires that all possible options be explored to maintain community use for buildings.
- 8.3 Policy EC1 (New and Existing Employment Development) of the Adopted Local Plan (2017) advises that the District Council will support proposals for new business development in sustainable locations that contribute towards the creation of jobs to enhance the economic base of the Plan area. This includes focusing new retail and leisure development within town centres to support their vitality and viability.
- 8.4 Policy EC6 (Town and Local Centres) advises that the District Council will seek to maintain and enhance the viability and vitality of town centres, and enhancing customer choice, by permitting appropriate retail and other commercial development in centres of a scale and type appropriate to the role and function of that centre. However, it is also advised that proposals that would create a concentration of evening economy uses (A3, A4 and A5) that would give rise to social and environmental issues, will not be supported. In addition, it also required that there are adequate parking facilities to serve the town centre developments and that the developments are also accessible by public transport, walking and cycling.
- 8.5 The church is within the Wirksworth Conservation Area and is subject to the Article 4 Direction. Therefore, if the principle of the change of use is accepted, the proposals would have to preserve or enhance the character and appearance of the building in accordance with Policy PD2 of the Adopted Local Plan (2017). Any reuse of the building will also need to ensure that there are no significant, adverse impacts on the amenity of neighbouring properties and that the proposals are acceptable with regard to highway safety; these matters are addressed below.

Loss of a Community Facility

- 8.6 The use of the building as a church is within Use Class D1 and other uses contained within this Use Class include libraries, health centres, crèches, day nurseries, day centres, schools, museums, libraries, halls, law courts and non-residential education and training centres.
- 8.7 Policy NP11 of the Wirksworth Neighbourhood Plan requires that all possible options be explored to maintain community use for buildings such as churches and this is supported by Policy HC15 of the recently adopted Local Plan. The use of the building as a church is within Use Class D1 and the building could be brought into other community uses within this Use Class, as set out above. Whilst the applicant has submitted no marketing details of the premises, this clearly states that the property is suitable for a wide variety of uses but is offered for sale 'subject to its existing use with prospective purchasers needing to satisfy themselves regarding alternative uses.'
- 8.8 To this end, the applicants have purchased the property without having satisfied themselves that the alternative use they propose would be acceptable in the context of Local Plan Policy and they also paid some £12,000 over the top end of the £150,000 price guide in obtaining the building. In addition, the premises was apparently only advertised for sale by auction for a period of less than 6 weeks up to the auction date. This demonstrates the concerns raised by Officer with regard to the adequacy of marketing the building for a period of 12 months in order to seek interest from purchasers of the premises for community use were well founded.
- 8.9 However, regard has to be given to what the building could be re-used for. It is unlikely that declining congregations would see the building brought back into use as a church and unlikely that there would be demand for other uses within Use Class D1 given the constraints of the building to meet some community needs and also the demand for such facilities where they already exist within the town. The building could be converted to a public house but there is already competition between existing premises and the Hope and Anchor has only just reopened after a period of closure. Such a use could also generate more impacts on local residents. To this end, whilst a restaurant cannot be deemed a community facility in the strictest sense, it nevertheless provides a venue where the community can congregate to some extent. This does not fully address Policy HC15, but regard needs to be given to other material factors in the consideration of the application.

Impact on the Character and Appearance of the Wirksworth Conservation Area

- 8.10 As there are no external changes proposed to the building, its general character and appearance will remain intact and its external visual and physical contribution to the street scene, and this part of the Conservation Area, will remain unchanged. The proposals will also serve to protect much of the historic interior of the church which can be appreciated by customers in the future with the use potentially meaning the building is more accessible to the wider community.

Impact on Neighbours' Amenity

- 8.11 Concern has been raised with regard to overlooking of neighbouring residential properties. The outlook from the proposed dwelling unit is onto high boundary walls to the sides of the building and the neighbouring domestic properties cannot be looked into directly other than looking up above the wall to first floor windows. This does not constitute a significant loss of privacy. There are no windows in the proposed dwelling unit looking to the front and rear of the building.
- 8.12 With regard to the first floor, the windows are all stained glass to the front and side and cannot be seen out off. The windows to the rear overlook the neighbours' gardens but there is obscured glazing to the windows, or at least the lower part of the windows, to

restrict overlooking. The area where most activity would occur is to the kitchen, which has the lower pane to the window obscure glazed and, with units put in place, will mean that it would be difficult to look down onto the neighbouring properties and the upper window pane would just allow views off to the distance.

- 8.13 In addition, the relative distance to the dwellinghouses directly to the rear, of some 17m, and the angle of outlook to those that are on Church Street, would not result in a significant loss of privacy that would require the window to be fully obscure glazed. Nevertheless, it is considered reasonable to require a condition that all windows are retained in their current manner unless otherwise agreed in writing by the Local Planning Authority. This is to safeguard the character and appearance of the building at the same time as preserving amenity.
- 8.14 Concerns have been raised with regard to the level of disturbance from comings and goings from the premises. As this is a town centre location, where there would be expected to be a level of activity with people moving around and driving around the town, it is considered that the use of the premises as a restaurant will not significantly add to this. A condition can be attached restricting the opening times of the premises.
- 8.15 Whilst the applicant indicated that there would be 'low key' live music, it has now been advised that this would not occur given the concerns raised by neighbours; this could be subject to a condition on any grant of planning permission. If such was required in the future, this would need to be licensed and require a variation of any planning condition.
- 8.16 It is appreciated that people may wish to smoke outside the premises and this would have to be to the front of the premises. However, it is considered that the noise generated by persons talking in front of the building would not constitute a significant nuisance given the existing level of activity with traffic and other passers-by. The applicants' agent has advised that they could erect a sign to advise customers to have regard to the neighbours; this can be a condition of any planning permission; these assurances were given verbally to the Case Officer.
- 8.17 There have also been concerns raised with regard to the noise and smell from the cooking operations and extraction and ventilation units which can be subject to conditions on any grant of planning permission. It could also be conditioned that any windows which could be opened on the first floor be kept shut during the hours of operation of the restaurant.
- 8.18 The applicant advises that the premises will initially only be open between 7pm to 11pm on Friday and Saturday evenings. This is a very limited time period for the operation of the premises and it must be expected that, in the future, there may be a requirement to extend these operating hours, particularly if the premises is sold off in the future. To this end, it is considered reasonable to place a condition on the hours of operation detailed and any changes to this would need to be assessed by the Local Planning Authority if proposed in the future as a variation of that condition. This would be undertaken having regard to the potential impact on the amenity of neighbouring residents.
- 8.19 Therefore, whilst the proposed use of the building has the potential for some disruption, this is not considered significant given the uses to which the premises could be otherwise put within the D1 use class and for other community related uses that would align with Policy HC15 of the Adopted Local Plan.

Highway Matters

- 8.20 Whilst the premises do not have off-street parking, nor do many of the commercial premises in the town centre. The premises, as a church, can generate the need for parking in the vicinity as could any of the permitted uses to which it could change to. There is public parking within the town centre and the Local Highway Authority has

advised that given the former use, the town centre location and Traffic Regulation Orders restricting on-street parking in the vicinity, it is considered that any objection based on the lack of parking would not be sustainable at appeal.

Conclusion

- 8.21 The applicants are unable to fully satisfy Policy HC15 of the Adopted Local Plan (2017) given the limitations of the marketing exercise. The applicants in fact paid in excess of the top end of the price guide for the building and would have potentially outbid any potential purchasers of the building for community uses. However, it is considered that a reasonable price was paid for the premises given the amount of investment that would be needed to allow the reuse of the building and that the more viable alternative would be to fully convert the premises to flats as has happened at other churches in the area.
- 8.22 The premises could be remarketed but it is likely that any end user would have to invest heavily in works of conversion. Even with a sustained marketing exercise, given the investment required, it is considered that there would be little interest in community use and potential pressure for conversion to residential accommodation may be the outcome if the building is to be re-used. The applicant is obviously looking at a potentially less intensive, and potentially more financially marginal, reuse of the premises. It should also be noted that churches on The Dale in Wirksworth, The Green in Middleton-by-Wirksworth and on Bank Road in Matlock are examples of former churches in the area that have been converted in relatively recent times to residential accommodation.
- 8.23 Given that this is a town location, where there are many community facilities, it is considered, less important to protect the premises from being used for non-community uses than if the building was a community facility in a village where such facilities could be fundamental to the quality of life of village residents. Therefore, on balance, it is considered unlikely that a more appropriate use for the building could be found.
- 8.24 To conclude, whilst the marketing exercise has not been as thorough as would be expected to meet with Policy HC15 of the Adopted Local Plan, it is considered that the that the applicant has paid a reasonable sum for the property that would not have necessarily excluded other parties interested in the building for community use from purchasing such a sizeable building.
- 8.25 The proposal will provide a type of facility that will serve the wider community as a bistro and there would also be some benefit associated with the employment it could generate. The proposals, as amended, will also preserve much of the heritage value of the building. Not only will the external character and appearance be preserved, the historic internal features of the building will also be largely retained and would be open view by a potentially wider audience; to this end, the proposal has advantages that other uses may not have. It is considered that appropriate controls can be placed on noise and odour emissions from the building there are unlikely to be any adverse impacts on the local environment that cannot be controlled through appropriate conditions.
- 8.26 Given the above, although finely balanced, based on the further case advanced by the applicants, it is now recommended that planning permission be granted subject to conditions.

9. RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. Condition ST02a Time Limit on Full

Reason ST02a

2. Notwithstanding the details on the submitted drawings, before the development commences, details of all ventilation and extraction systems shall be submitted to and approved in writing by the Local Planning Authority and these shall be provided in accordance with the approved details prior to the restaurant/café use commencing.

Reason:

To safeguard the amenity of neighbouring residents and to ensure the satisfactory appearance of the development to comply with Policies S1, S3, PD1, PD2 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

3. The restaurant/café shall only be operated between the hours of 7pm and 11pm on Fridays and Saturdays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenity of neighbouring residents to comply with Policies S1, PD1 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

4. There shall be no live music played within the restaurant/cafe unless otherwise agreed in writing by the Local planning Authority.

Reason:

To safeguard the amenity of neighbouring residents to comply with Policies S1, PD1 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

5. All windows that are currently obscure glazed or part obscure glazed shall remain as such unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenity of neighbouring residents to comply with Policies S1, PD1 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

6. All windows on the first floor of the premises shall remain shut during the hours of operation of the restaurant/cafe unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenity of neighbouring residents to comply with Policies S1 and PD1 of the Adopted Derbyshire Dales Local Plan (2017).

7. The restaurant/café shall only be open to customers between the hours of 7pm to 11pm on Friday and Saturday evenings and at no other times unless otherwise agreed in writing by the Local Planning Authority as a variation of this condition.

Reason:

For the avoidance of doubt that these are the times of operation advised by the applicant and in order to safeguard the amenity of neighbouring residents to comply with Policies S1, PD1 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

8. Before the restaurant/café is brought into use, any proposed smoking area shall be identified and a sign erected to advise customers to have regard to the neighbours in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such a facility, if persons are allowed to smoke on the

premises, shall be provided before the café/restaurant is first brought into use and shall remain in situ while smoking is permitted on the premises.

Reason:

To safeguard the amenity of neighbouring residents to comply with Policies S1, PD1 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

NOTES TO APPLICANT:

1. The Local Planning Authority, during the consideration of this application, engaged in a positive and proactive dialogue with the applicant which resulted in the submission of further information to amend the proposals and to justify the change of use and the granting of planning permission.
2. The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £116 per request. The fee must be paid when the request is made and cannot be required retrospectively.
3. This decision notice relates to the following documents:
 - Drawing Nos. 0058/01-01, 03-00 and 11-00 received on 16th January 2018
 - Design and Access Statement received on 16th January 2018
 - Additional Information received on 17th July 2018.

APPLICATION NUMBER		18/00638/FUL	
SITE ADDRESS:		Express Hand Car Wash, 43 Bakewell Road, Matlock	
DESCRIPTION OF DEVELOPMENT		Change of use from car wash facility to additional car parking for restaurant	
CASE OFFICER	Mr. G. A. Griffiths	APPLICANT	Mr. R. Tarbutt
TOWN	Matlock	AGENT	Roger Yarwood Planning Consultant
WARD MEMBERS	Cllr. Mrs A. Elliott Cllr. M. Burfoot Cllr. Mrs S. Burfoot	DETERMINATION TARGET	7 th August 2018
REASON FOR DETERMINATION BY COMMITTEE	Requested by Ward Members	REASON FOR SITE VISIT (IF APPLICABLE)	Site previously visited by Committee

MATERIAL PLANNING ISSUES

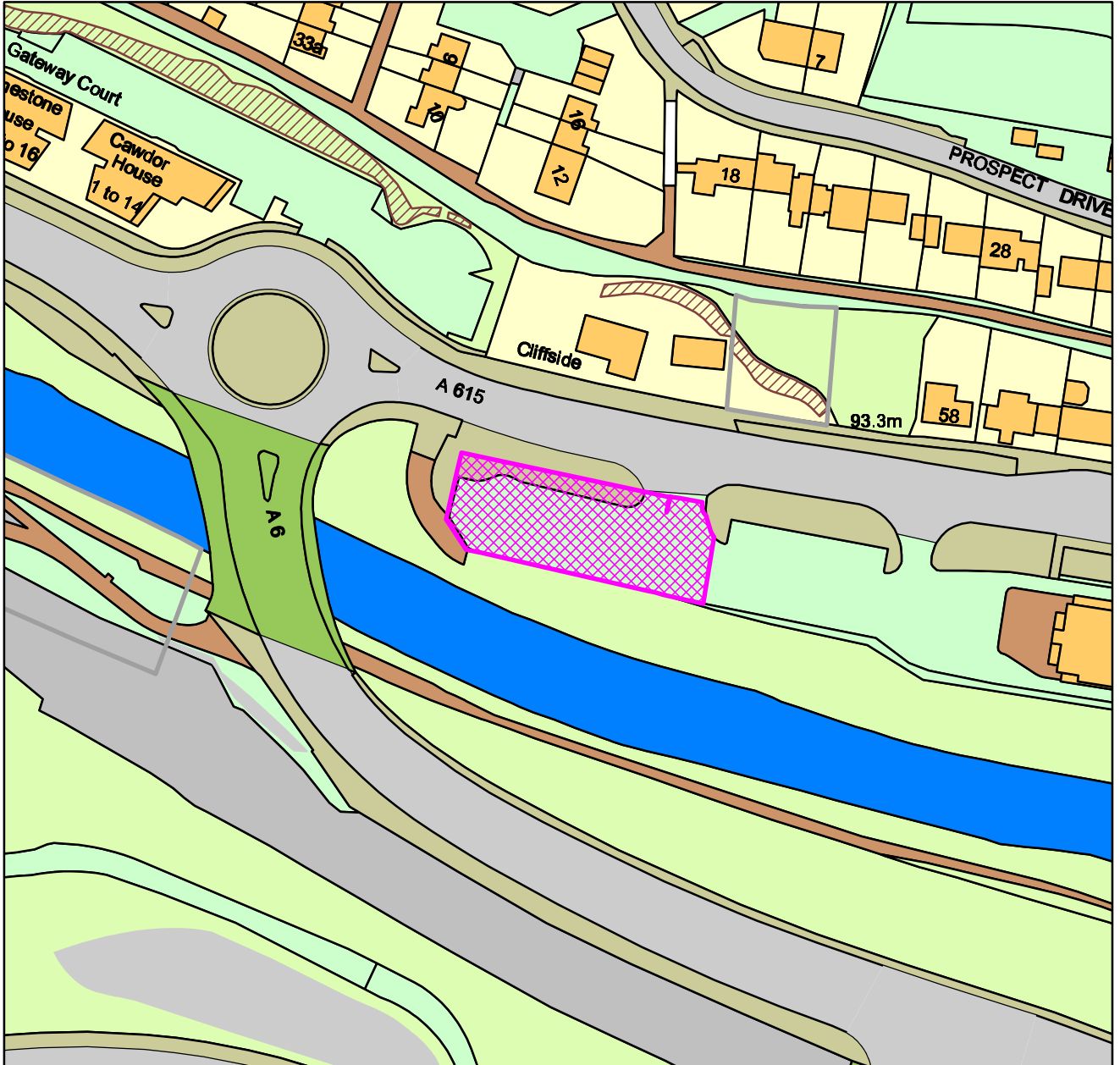
- Background
- Sustainability
- Impact on the character and appearance of the area
- Highway matters

RECOMMENDATION

Approval

18/00638/FUL

Express Hand Car Wash, 43 Bakewell Road, Matlock



Derbyshire Dales DC

1:1,250

Date: 02/08/2018

100019785

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Derbyshire Dales District Council,
Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN.
Telephone: (01629) 761100.
website : www.derbyshiredales.gov.uk

1. THE SITE AND SURROUNDINGS

- 1.1 The site forms part of a wider site granted planning permission for a McDonalds restaurant/food takeaway and car wash. The application site itself is still used as a car wash facility. It was granted planning permission in 2015 to be a built facility but this planning permission has not been implemented and the site is currently provided on an ad hoc basis with the facilities contained within two metal containers and a 'gazebo' structure.
- 1.2 The site lies to the north west of Matlock town centre and is bounded by Bakewell Road to the north and the River Derwent and A6 to the south. The site is separated from Bakewell Road by a wide highway verge containing trees and is accessed via the shared access to the McDonalds car park. The rear boundary of the site is well treed and separated from the River Derwent by flood defences. The site is within a commercial area but with residential properties on the opposite side of the road. The site is within the Settlement Boundary of Matlock.



2. DETAILS OF THE APPLICATION

- 2.1 Full planning permission is sought for the removal of the car wash facility and for the site to be used as an extended area of car parking to serve the McDonalds restaurant/food takeaway. It is proposed that the area would be tarmaced and 17 car parking spaces provided, delineated with white painted lines as with the current car park. A laurel hedge is proposed to be provided along the inner side of the roadside verge and the existing trees are shown to be retained. Further shrub planting is proposed on the verge and at the western end of the car parking area. The boundary would also be delineated by a fence on the southern and western ends of the site to match that which currently bounds the southern boundary fence to the McDonalds site.
- 2.2 The applicant advises that the car park extension would ease pressure on the current car park and ensure that the McDonalds will function to its potential without any overspill car parking in the area. The applicant considers that the proposal would not represent a significant loss of community facilities given that there are other car wash facilities in the area. There would be a loss of jobs associated with the car park but the applicant advises

that there are now 65 people employed at McDonalds and that the increase in parking provision will increase turnover and create more employment which is estimated to be a further 10-15 staff. The applicant considers that this will offset the loss employment at the car wash and merely change the nature of the employment which is generated.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan (2005)

- S1 Sustainable Development Principles
- S3 Development within Defined Settlement Boundaries
- S7 Matlock/Wirksworth/Darley Dale Development Area Strategy
- PD1 Design and Place Making
- PD6 Trees, Hedgerows and Woodlands
- PD8 Flood Risk Management and Water Quality
- PD9 Pollution Control and Unstable Land
- PD10 Matlock to Darley Dale A6 Corridor
- HC19 Accessibility and Transport
- HC20 Managing Travel Demand
- HC21 Car Parking Standards
- EC3 Existing Employment Land and Premises.

3.2 National Planning Policy Framework

3.3 National Planning Practice Guidance

4. RELEVANT PLANNING HISTORY

- 17/00902/VCOND Variation of condition 8 of planning application 16/00933/VCOND to vary opening hours to 06:00 to 00:00 Monday to Saturday and Sunday 07:00 to 23:00 - Granted
- 16/00933/VCOND Variation of Condition 7 to include Use Class A5 (take away) – Granted
- 15/00310/FUL Car wash facility - Granted
- 14/00820/FUL Redevelopment of site to provide restaurant/food takeaway and bulk wine retail store with associated parking (revisions to planning permission 14/00249/FUL) – Granted
- Land Adjacent To Peak Village, Chatsworth Road, Rowsley
14/00519/FUL Hand car wash, storage container and fencing - Granted

5. CONSULTATION RESPONSES

Town Council

5.1 No Comment.

Local Highway Authority

5.2 Object:

- 17 No additional parking spaces is in addition to the parking spaces absorbed by the fast food outlet as a result of development not taking place on the adjoining site

- have not been alerted to any issues of parking deficiencies at the site that have resulted in highway safety concerns on the public highway
- requested a parking survey as well as providing details of existing sales area/seating arrangements within the outlet, to establish the potential parking requirements for the site but have not been provided

Environment Agency

5.3 No objection.

6. REPRESENTATIONS RECEIVED

6.1 None.

7. OFFICER APPRAISAL

Background

7.1 With the approval of the McDonalds and bulk wine retail store, the car wash facility was granted planning permission in 2015 to relocate to Peak Village in Rowsley (ref: 14/00519/FUL). This permission was not implemented (and has now lapsed) as permission was latterly granted for the car wash facility to remain at its current site with planning permission 15/00310/FUL as a result of the bulk wine retail store pulling out of the site development proposals initially granted with planning permission 14/00249/FUL. The planning permission for the car wash facility included details of a bespoke building from which the business would operate; this has not been implemented to date and the car wash continues to operate from the rather unsightly containers.

Sustainability

7.2 As detailed above, planning permission for McDonalds was established under application reference 14/00249/FUL and, at that time, the proposals also included a bulk retail wine outlet on the site. The McDonalds was proposed to share up to 36 no. car parking spaces with the retail unit and, at the time, this was considered acceptable, especially considering the pedestrian improvements supporting the scheme which were to encourage alternative modes of travel to and from the site.

7.3 The bulk wine retail unit was never constructed and, therefore, all the car parking originally created for both users was essentially retained and has been used by McDonalds, although the current application form does not indicate existing provision. The provision of a further 17 no. spaces would extend the parking provision to over 50 no. spaces for the restaurant alone.

7.4 To this end, the Local Highway Authority advises that it will generally not sanction additional car parking space in isolation (i.e. that is not allied to an increase in the scale of development) as this is regarded as being contrary to the principles of sustainability. It could be argued that the availability of additional car parking spaces may actually encourage further car based travel, which contradicts local initiatives and national policies in terms of sustainable development. Given the site is conveniently located close to the town centre, and the pedestrian access improvements have been undertaken, the Local Highway Authority has advised that the applicant should be encouraging alternative access modes to and from the site, rather than extending car parking provision for motor vehicles.

7.5 It is noted, from the Design and Access Statement that the justification for the additional level of parking is to ensure the McDonalds functions to its potential without any overspill of car parking and it will also create additional employment for the site. However, the Local Highway Authority has advised the applicant that is not aware of a particular issue relating to 'over-spill' parking on the existing highway and requested further justification

and evidence be presented identifying when parking demand exceeds the existing on site provision and any consequences of this in terms of highway safety. This could have taken the form of a daily car parking survey, identifying demand and 'turnover' and any highway safety issues associated with any existing car parking shortfall, etc. The applicant was also advised that it would also be useful if precise details of the restaurant's floor areas could be submitted to allow an assessment of how the proposed parking levels relate to the gross floor-spaces available.

- 7.6 The Local Highway Authority notes the site obviously employs quite a number of staff, albeit not at the levels considered in the original Design and Access Statement supporting the restaurant. However, it is unclear if any of the identified 65 no. staff working at the restaurant park within the existing car park. Whilst it is appreciated not all these staff will be on site at any one time, staff parking could reduce the number of parking spaces available for customers. The Local Highway Authority considers that undertaking a staff travel survey of existing work based journeys to and from the site could help identify if the existing parking allocation could be used more efficiently; especially if any staff parking demand could be suppressed by the introduction of a staff travel plan.
- 7.7 Given the above, the Local Highway Authority suggested that their comments be drawn to the applicant's attention with a view to them providing additional information, evidence and justification substantiating the need for additional levels of parking for a town centre facility. Whilst this was advised to the applicant, the requested information has not been adequately provided.
- 7.8 Officers have carefully considered the concerns raised by the Local Highway Authority and take on board that the increase in site parking provision could encourage people to drive to the premises with the knowledge that there would be a likelihood of car parking being available and that encouraging such journeys would be against the principle of sustainable development. However, the fall-back position has to be considered. The Local Planning Authority has allowed the car wash facility to operate out of containers for a period of time since planning permission was granted for the facility to remain on site, rather than relocating to Peak Village, on the basis that the planning permission for the building and the tidying of the site would take place; this has not occurred and the current facility is rather intrusive in the approach to the town centre.
- 7.9 It is not considered likely that the car wash facility will be improved as proposed and that leaves the Authority in a position where it will have to consider enforcement action to remove the containers; this would have a significant impact on the site operation. If this was the outcome, the site would be essentially a tarmaced site which, in such an event, could be used for ad hoc parking at times when the current McDonalds car park is busy. Therefore, the proposals have the potential to improve the appearance of this component of the site. In addition, given that the car park extension is further away from the building than the existing, it would be the least likely area for customers to park in.

Impact on Employment

- 7.10 The proposals would displace the existing car wash business with the loss of some jobs, albeit the number is rather low. The applicant considers that this would be offset by the potential for McDonalds to take on further employees if the parking facilities allow for more customers.
- 7.11 The site could be redeveloped for another use; the original planning permission for the site included a bulk sale retail outlet. However, this has fallen through and there is a degree of uncertainty that such a development would materialise on this limited site. Given the above, it is considered that it would be difficult to substantiate refusal of the application based on the loss of existing or future employment potential.

Impact on the Character and Appearance of the Area

- 7.12 The removal of the ad hoc and unauthorised car wash facility, in its current form, would serve to remove an intrusive development on the approach to the town centre. The additional planting and boundary treatment would also serve to create a unity in the appearance of the site with the existing McDonalds site which would improve the character and appearance of this area. It is, however, considered unnecessary to introduce fencing along the inner part of the roadside verge and the western edge and that the landscaping should provide the softening of the site.
- 7.13 One concern would be that the car park extension, being within the McDonalds controlled site, would lead to the company again seeking permission for further signage at this end of the site. Such signage had previously been refused in this general area and upheld at Appeal. Whilst a case could be made that the signage would be within the site curtilage, any proposals would have to be considered on their merit; signage in this location would appear unnecessary, given that the applicant advises of the current success of the business without it, and such signage would still be some distance from the McDonalds building and set in relative isolation.

Highway Safety

- 7.14 The Local Highway Authority has raised no objection to the proposed extension of the car park with regard to highway safety.

Conclusion

- 7.15 The concerns of the Local Highway Authority are noted in that an extended car park could encourage further people to drive to the site which is not in the best interests of sustainability. However, the site is on the fringe of the town centre and it is considered that the provision of the car park would not change the behaviour patterns of customers in terms of how they currently access the site or how they would do so as a result of the development.
- 7.16 The loss of employment by removing the car wash facility may well be offset by the potential for McDonalds to increase its staff levels if the car park facilitates more customers visiting the premises. It is considered, having due regard to the current site usage and the form this takes, that the proposals for the car park extension, with additional landscaping, would improve the character and appearance of the site on this gateway to the town centre. Given the above, in the balance, it is recommended that planning permission be granted.

8. RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. Condition ST02a Time Limit on Full

Reason ST02a
2. Notwithstanding the details on the submitted drawings, before the development commences, full details of the boundary treatment to the site and the landscaping of the site, to include the retention of existing trees, shall be submitted to and approved in writing by the Local Planning Authority. The boundary fencing shall be omitted from aligning the roadside verge and western edge of the car park and the approved fencing shall be provided prior to the car park being brought into use. All soft landscaping shall be provided within the first planting season after the car park is brought into use. All shrub, tree and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously

damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason:

To ensure the satisfactory appearance of the development to comply with Policies S1, S3 and PD1 of the Adopted Derbyshire Dales Local Plan (2017).

NOTES TO APPLICANT:

1. The Local Planning Authority prior to the submission of the application engaged in a positive and proactive dialogue with the applicant which resulted in the submission of the scheme. The Local Planning Authority considered the application as submitted to be acceptable and, on this basis, there was no need to engage with the applicant in a positive and proactive manner to resolve any planning problems and permission was granted without negotiation.
2. The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £116 per request. The fee must be paid when the request is made and cannot be required retrospectively.
3. This decision notice relates to the following documents:

Site Location Plan 1:1250 received on 12th June 2018

Drawing Nos. 2124-126L and 143C received on 12th June 2018

Design and Access Statement received on 12th June 2018

Ashbourne North

ENF/14/00071	Unauthorised building works to facilitate a Biomass Boiler and affecting the setting of a listed building.	Sturston Hall Farm Mill Lane Sturston Derbyshire DE6 1LN	Notice Issued
ENF/15/00014	Unauthorised alterations to listed building. Installation of photo voltaic panels on roof slope - Sturston Hall Farm, Ashbourne, DE6 1LN		Notice Issued
ENF/17/00046	Unauthorised engineering comprising of excavations and leveling of land to the rear of 71 Park Avenue.	71 Park Avenue Ashbourne Derbyshire DE6 1GB	Pending Consideration
ENF/17/00094	Unauthorised fascia signs at 1 Shawcroft Centre, Dig Street, Ashbourne, DE6 1GF	1 Shawcroft Centre Dig Street Ashbourne Derbyshire DE6 1GD	Pending Consideration
ENF/18/00011	Works to roof not done in accordance with approved plans (Planning permission reference number. 17/00045/FUL)	Blacks Cottage Coopers Close Ashbourne Derbyshire DE6 1EQ	Pending Consideration
ENF/18/00020	Change of use to hot food takeaway (A5) and works to a listed building (Grade II) - Shopfront changes, additional side entry and removal of bricks	3 Church Street Ashbourne Derbyshire DE6 1AE	Pending Consideration
ENF/18/00038	Breach of Conditions 6, 16, 17, 18, 21 and 22 of Planning Permission 09/00496/FUL (Allowed on appeal)	The Mount 4 North Avenue Ashbourne Derbyshire DE6 1EZ	Pending Consideration
ENF/18/00066	Erection of gazebo style structure being used as a garage	52 St Oswald Crescent Ashbourne Derbyshire DE6 1FS	Pending Consideration
ENF/18/00101	Formation of vehicular access onto a classified road	Parkfield Stable Parkfield House Farm Kniveton Lane Offcote Derbyshire DE6 1JQ	Pending Consideration
ENF/18/00130	Unauthorised erection of fence in excess of 1m in height adjacent to vehicular highway and unauthorised erection of timber structure within 2m of boundary, exceeding 2.5m in height.	16 Beresford Avenue Ashbourne Derbyshire DE6 1FW	Pending Consideration
ENF/18/00137	Erection of salon building in rear garden	91 Park Avenue Ashbourne Derbyshire DE6 1GB	Pending Consideration

Ashbourne South

ENF/14/00070	Unauthorised internally illuminated signage above front of restaurant - 25 Dig Street, Ashbourne, DE6 1GF	25 Dig Street Ashbourne Derbyshire DE6 1GF	Pending Consideration
ENF/17/00038	Unauthorised works to listed building	Avanti Jewellers 2 - 4 Church Street Ashbourne Derbyshire DE6 1AE	Pending Consideration
ENF/17/00067	Unauthorised erection of two buildings to the rear of factory and north side of Derby Road, Ashbourne.	Homelux Nenplas Limited Blenheim Road Airfield Industrial Estate Ashbourne Derbyshire DE6 1HA	Pending Consideration
ENF/18/00018	Breach of Condition 1 of Planning Application Reference No. 17/00828/FUL	47 South Street Ashbourne Derbyshire DE6 1DP	Pending Consideration
ENF/18/00059	Alleged unauthorised timber building adjacent to 6 Weaver Close, Ashbourne	7 Weaver Close Ashbourne Derbyshire DE6 1BS	Pending Consideration
ENF/18/00092	Holiday homes being used as permanent residences	Peak Gateway Leisure Club Osmaston Derbyshire DE6 1NA	Pending Consideration
ENF/18/00115	Breach of Condition 4 (Working Hours) of Planning Application No. 17/00250/REM	Land South Of Leys Farm Wyaston Road Ashbourne Derbyshire	Pending Consideration
ENF/18/00120	Soil Dust from Development site - Breach of Condition 3 of 15/00319/OUT and Condition 7 of 17/00250/REM		Pending Consideration
ENF/18/00123	Signage advertising new development at Leys Farm development. One sign on Corner of Lower Pingle Road and one sign near the entrance to Ashbourne Golf Club		Pending Consideration
ENF/18/00125	Breach of Conditions 6 (Soft Landscaping), 7(Landscape Management Plan), 8 (Amenity and Play Areas laid out before first occupation) and 27 (Landscape and Ecological Management Plan) of 14/00722/FUL	Land Formerly Hillside Farm Wyaston Road Ashbourne Derbyshire DE6 1NB	Pending Consideration

Brailsford

ENF/17/00058	Unauthorised erection of replacement fencing around boundary of South Lodge, Long Lane, Longford, Derbyshire	South Lodge Long Lane Longford Derbyshire DE6 3DS	Pending Consideration
ENF/18/00009	Unauthorised building works to barn at West Mammerton Farm, Sutton Lane, Longford	Buildings At West Mammerton Farm Sutton Lane Longford Derbyshire	Pending Consideration

ENF/18/00062	Breach of pre - commencement condition 2 of listed building consent 18/00070/LBALT - Prior to commencement of works, details of the glazing and timber frames to the proposed doors shall be submitted to, and approved in writing by, the Local Planning Authority. The window and doors shall then be installed in accordance with the approved details and so retained.	Cornerstone Cottage The Green Brailsford Derbyshire DE6 3BX	Pending Consideration
ENF/18/00114	Breach of Condition 1 of 14/00031/TEMP - Mobile home should have been removed from site by the 19th August 2017 and the land reinstated	Round Oak Farm Slade Lane Mercaston Derbyshire DE6 3DZ	Pending Consideration
ENF/18/00129	Breach of conditions 2 (opening times) and 3 (number of customers) of planning permission 17/00540/FUL	The Spruces Main Road Brailsford Derbyshire DE6 3DA	Pending Consideration
ENF/18/00138	Unauthorised change of use of Agricultural land and the erection of a timber built cabin.	Land North East Of Willow Croft New Road Mercaston Derbyshire	Notice Issued

Carsington Water

ENF/16/00034	Unauthorised erection of Dog kennels	Four Lane Ends Farm Gibfield Lane Hulland Ward Derbyshire DE6 3EJ	Pending Consideration
ENF/17/00041	Unauthorised change of use of land for the stationing of a static caravan for the purpose of human habitation	Barn At Arm Lees Farm Ryder Point Road Wirksworth Derbyshire	Pending Consideration
ENF/17/00082	Unauthorised erection of raised platform on land within the conservation area and to the rear of Barnwood, Hopton, Wirksworth, Matlock, Derbyshire DE4 4DF	Barnwood Main Street Hopton Derbyshire DE4 4DF	Pending Consideration
ENF/17/00095	Unauthorised building works to create a roof over an existing muck store and unauthorised minor enlargement of approved building, 15/00493/FUL.	Turlow Fields Farm Turlowfields Lane Hognaston Derbyshire DE6 1PW	Pending Consideration
ENF/18/00013	Building not built in accordance with approved plans	Mulino Lodge Agnes Meadow Lane Kniveton Derbyshire DE6 1JR	Pending Consideration
ENF/18/00016	Unauthorised demolition/conversion of barn.	Barn At Arm Lees Farm Ryder Point Road Wirksworth Derbyshire	Pending Consideration
ENF/18/00057	Erection of fence to front of property in excess of 2 metres in height	Barney's Cottage Main Street Hognaston Derbyshire DE6 1PR	Pending Consideration
ENF/18/00105	Alterations not done in accordance with approved planning application 16/00912/LBALT	Brook Cottage Pethills Lane Kniveton Derbyshire DE6 1JN	Pending Consideration

Clifton And Bradley

ENF/18/00015	Unauthorised use of land for wood processing facility	Duke Of York Filling Station Mayfield Road Mayfield Ashbourne Derbyshire DE6 2BN	Pending Consideration
ENF/18/00047	Use of agricultural building as a lorry shed and creation of hardstanding	Wyaston House Farm Orchard Lane Wyaston Derbyshire DE6 2DR	Pending Consideration
ENF/18/00053	Erection of garage, in excess of 2.5m in height adjacent to a boundary and the creation of a boundary wall	The Cottage Mill Lane Shirley Derbyshire DE6 3AR	Pending Consideration
ENF/18/00055	Unauthorised erection of summer house, on land at Cloud Barn, Clifton Road (A515), Clifton, Derbyshire and Untidy Land	Cloud Barn Clifton Road Clifton Derbyshire DE6 2DH	Pending Consideration
ENF/18/00072	Installation of external lighting	Snelston House Sides Lane Snelston Derbyshire DE6 2EN	Pending Consideration

Darley Dale

ENF/12/00034	Unauthorised demolition of a Listed wall and unauthorised access off the A6 at Dale Road North Darley Dale.	Stancliffe Quarry, Darley Dale, Matlock.	Notice Issued
ENF/17/00016	Breach of pre commencement conditions on planning permission 15/00718/FUL Demolition of existing dwelling and barn and erection of replacement dwelling and swimming pool building.	Former Bent Farm Farley Hill Matlock Derbyshire DE4 5LT	Pending Consideration
ENF/17/00100	Alleged - Unauthorised Use of Site and Building for the Holding of Weddings	Peak Village Ltd Darwin Lake Holiday Village Jagers Lane Darley Moor Matlock Derbyshire DE4 5LJ	Pending Consideration
ENF/17/00139	Unauthorised erection of a steel framed building, erection of a concrete retaining wall and unauthorised office building	Bent Farm / Ameycroft Farm Farley Hill Matlock Derbyshire DE4 5LR	Pending Consideration
ENF/17/00142	The unauthorised erection of an agricultural building contrary to planning permission 13/00378/FUL - Erection of agricultural/fodder and equipment building	St Elphins Cottage Blind Lane Hackney Derbyshire DE4 2QE	Pending Consideration
ENF/17/00158	The unauthorised change of use of land for the storage of domestic and commercial vehicles, building materials and heras fencing		Pending Consideration
ENF/17/00159	Partial change of use of agricultural building for ancillary domestic purposes, on land at St Elphins Cottage, Hackney		Pending Consideration

ENF/18/00035	Erection of Double Garage and engineering works in association with Landscaping to front of property.	Lilac Cottage Holt Road Hackney Derbyshire DE4 2QD	Pending Consideration
ENF/18/00067	Works comprising the formation of a widened access and works to provide water supply and electricity hook-ups points.	Former Bent Farm Farley Hill Farley Derbyshire DE4 5LT	Notice Issued
ENF/18/00070	Breach of condition 14 (hard and soft landscaping) of planning permission 10/00069/FUL - Failure of new trees	Land Off Morledge Bakewell Road Matlock Derbyshire	Pending Consideration
ENF/18/00085	Unauthorised building works to create a cattle isolation unit on land at St Elphins Cottage, Blind Lane, Hackney	St Elphins Cottage Blind Lane Hackney Derbyshire DE4 2QE	Pending Consideration
ENF/18/00086	Extension to agricultural building		Pending Consideration
ENF/18/00103	Erection of fence over 1m in height adjacent to the highway	No. 16 And Riversdale Darley Avenue Darley Dale Derbyshire DE4 2GB	Pending Consideration
ENF/18/00121	Unlawful Externally illuminated advertisements on land adjacent to Molyneux Business Park and A6 for Creating Spaces Ltd.	Creating Spaces (Derbyshire) Ltd Unit 20A Molyneux Business Park Whitworth Road Darley Dale Derbyshire DE4 2HJ	Pending Consideration
ENF/18/00135	Garage not being built in accordance with 18/00457/CLPUD	St Elphins Cottage Blind Lane Hackney Derbyshire DE4 2QE	Pending Consideration

Dovedale And Parwich

ENF/18/00090	Extension and raising of ridge height of existing outbuilding to 2.7m	Bank House Mapleton Road Mapleton Derbyshire DE6 2AB	Pending Consideration
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Doveridge And Sudbury

ENF/18/00029	Erection of Porches	17 West Drive Doveridge Derbyshire DE6 5NG	Pending Consideration
ENF/18/00037	Change of Use of shop / dwelling to Nursery (Use Class D1)	31A High Street Doveridge Derbyshire DE6 5NA	Pending Consideration

Hulland

ENF/14/00041	Breach of condition 2 relating to planning permission 10/00812/TEMP - Provision of temporary access for a period of 2 years - Redmire Gap, Intakes Lane, Turnditch, Derbyshire DE56 2LU	Redmire Gap Intakes Lane Turnditch Derbyshire DE56 2LU	Pending Consideration
ENF/15/00004	Unauthorised engineering works including substantive excavation on land at Common Farm.	Common Farm Mugginton Lane End Weston Underwood Ashbourne Derbyshire DE6 4PP	Pending Consideration

ENF/15/00024	The unlawful use of the buildings, shown in green on the attached plan, as a dwellinghouse (Use Class C3).	Blackbrook Lodge Farm Intakes Lane Turnditch Derbyshire DE56 2LU	Notice Issued
ENF/17/00064	Unauthorised change of use of land to create a horse riding Manege' on land West side of Broadway, Kirk Ireton	Caravan At Valley View Broad Way Kirk Ireton Derbyshire	Pending Consideration
ENF/17/00109	Use as a collection point for County Council vehicles	Wheel Plant Ltd Winney Hill Farm Hob Lane Kirk Ireton Derbyshire DE6 3LG	Pending Consideration
ENF/18/00087	Unauthorised building works. Buildings not in accordance with approved plans - 17/00309/FUL - Erection of 2 no. dwellings	The Smithy Main Road Hulland Ward Derbyshire DE6 3EF	Pending Consideration
ENF/18/00110	Breach of Condition 3 (Lighting Details) and Condition 5 (Restricted Use) of 17/00159/FUL	Common End Farm Bradley Derbyshire DE6 1PL	Pending Consideration
ENF/18/00111	Breach of Condition 9 (Events Management) of 12/00581/FUL	Land Off A517 North Of Hough Park Farm Brunwood Lane Hulland Ward Derbyshire DE6 3EN	Pending Consideration
ENF/18/00112	Unauthorised use of buildings for storage of mowers in connection to an off site business	Hough Park Farm Brunwood Lane Hulland Ward Derbyshire DE6 3EN	Pending Consideration

Masson

ENF/13/00108	Unauthorised works to Grade II Listed Building	Corn Mill Cottage Water Lane Cromford Derbyshire DE4 3QH	Notice Issued
ENF/15/00054	Unauthorised alterations to a Grade II Listed Building.	Rita's Fish Bar 182 South Parade Matlock Bath Derbyshire DE4 3NR	Pending Consideration
ENF/15/00104	Unauthorised internal works and demolition of external boundary wall.	Mill Managers House Cromford Mill Mill Road Cromford Derbyshire DE4 3RQ	Notice Issued
ENF/16/00041	Unauthorised instalation of plastic windows and door.	2,4,6 North Parade Matlock Bath Derbyshire DE4 3NS	Notice Issued
ENF/16/00097	Unauthorised engineering operations and the creation of concrete retaining wall.	UK Slipform Ltd Dunsley Mill Via Gellia Road Bonsall Derbyshire DE4 2AJ	Pending Consideration
ENF/17/00022	Erection of two wooden sheds.	The Cottage Puddle Hill Bonsall Derbyshire DE4 2BA	Notice Issued
ENF/17/00061	Unauthorised works to a Listed Building	RIVA Rose Cottage 124 - 126 North Parade Matlock Bath Derbyshire DE4 3NS	Pending Consideration
ENF/17/00147	Breach of Conditions of Planning Permission Reference 11/00504/FUL	Cromford Hill Hand Car Wash 161 The Hill Cromford Derbyshire DE4 3QU	Pending Consideration

ENF/17/00150	Breach of condition 2 relating to planning permission 17/00104/FUL - Single storey extension, 1 Water Lane, Cromford, Derbyshire, DE4 3QH.	1 Water Lane Cromford Derbyshire DE4 3QH	Pending Consideration
ENF/18/00003	Untidy site - Land at Gullivers Kingdom, Adjacent to the upper car park, Matlock Bath, Derbyshire	Gullivers Kingdom Temple Road Matlock Bath Derbyshire DE4 3PG	Pending Consideration
ENF/18/00017	Unauthorised works to a listed building - Insertion of 3no. UPVC window frames	98 North Parade Matlock Bath Derbyshire DE4 3NS	Pending Consideration
ENF/18/00032	External alterations - Doorway replaced with a window and window covered up	County And Station Hotel 258 Dale Road Matlock Bath Derbyshire DE4 3NT	Notice Issued
ENF/18/00039	Unauthorised Internal and External Alterations to a Listed Building	21 The Hill Cromford Derbyshire DE4 3RF	Pending Consideration
ENF/18/00069	Unauthorised engineering works including excavation of stone to land at the rear of the Mill Managers House in Cromford.	Mill Managers House Cromford Mill Mill Road Cromford Derbyshire DE4 3RQ	Notice Issued
ENF/18/00071	Unauthorised works to provide walls and doors to atrium	Cromford Court Derby Road Matlock Bath Derbyshire DE4 3PY	Pending Consideration
ENF/18/00077	Unauthorised change of use of buildings from fully self contained holiday cottage. to	The Carriage House Building 24 Cromford Mill Mill Road Cromford Derbyshire DE4 3RQ	Pending Consideration
ENF/18/00078	Unauthorised painting of shop front.	196-198 South Parade Matlock Bath Derbyshire DE4 3NR	Pending Consideration
ENF/18/00088	Erection of fence on top of existing wall	18 North Street Cromford Derbyshire DE4 3RG	Pending Consideration
ENF/18/00116	Repainting and removal of signage	Princess Victoria Public House 174 - 176 South Parade Matlock Bath Derbyshire DE4 3NR	Pending Consideration
ENF/18/00117	Unauthorised engineering works to facilitate access onto a classified road, (A6) Derby Road, next to filling station west of Cromford. East of Meadow View, Derby Road, Cromford, DE4 3RN	Meadow View Derby Road Cromford Derbyshire DE4 3RN	Pending Consideration
ENF/18/00119	Unauthorised erection of sheds	The Barn Bakers Lane Cromford Derbyshire DE4 3QW	Pending Consideration
ENF/18/00136	Various Fencing erected around listed building	3 North Street Cromford Derbyshire DE4 3RG	Pending Consideration
ENF/18/00139	Breach Of Condition 2 Of Planning Permission 17/00104/FUL	1 Water Lane Cromford Derbyshire DE4 3QH	Pending Consideration

Matlock All Saints

ENF/16/00101	Unauthorised erection of sheds,chicken enclosures and a "shepherds hut".	High Croft Salters Lane Matlock Derbyshire DE4 2PA	Pending Consideration
ENF/17/00043	Engineering operations to create a raised patio area.	161 Smedley Street Matlock Derbyshire DE4 3JG	Pending Consideration
ENF/18/00001	Breach of conditions 2 and 3 of planning permission 17/00660/TEMP. Retain change of use to car park for a further temporary period of 10 years	The Garden House Derwent Avenue Matlock Derbyshire DE4 3LX	Notice Issued
ENF/18/00042	Unauthorised alteration of shop frontage	Turkish Delight 57 Dale Road Matlock Derbyshire DE4 3LT	Pending Consideration
ENF/18/00048	Breach of condition of planning permission 16/00776/FUL - Appearance of front boundary wall	Land Adjacent Matlock Golf Club Chesterfield Road Matlock Derbyshire	Pending Consideration
ENF/18/00058	Untidy site and breach of condition 12 of planning permission 13/00908/FUL	Land Off The Close Matlock Derbyshire DE4 3LE	Pending Consideration
ENF/18/00064	Erection of fencing more than 1 metre in height adjacent the highway	29 Wolds Rise Matlock Derbyshire DE4 3HJ	Pending Consideration
ENF/18/00081	Erection of two entrance signs	Golding Grange 68 Cavendish Road Matlock Derbyshire DE4 3GY	Pending Consideration
ENF/18/00082	Banner signage above main entrance	Harveys Wine Bar And Cafe 119 Dale Road Matlock Derbyshire DE4 3LU	Pending Consideration
ENF/18/00084	Erection of a new retaining wall more than 8 feet in height	7 Hopewell Road Matlock Derbyshire DE4 3JN	Pending Consideration
ENF/18/00095	Breach of condition of 18/00047/VCOND and 17/00969/FUL - Use of toilets	Rubigo 68 Dale Road Matlock Derbyshire DE4 3LT	Pending Consideration
ENF/18/00096	Erection of two storage units to rear of building		Pending Consideration
ENF/18/00104	Unauthorised extension to dwelling	Formerly 46 Jackson Road Matlock Derbyshire DE4 3JQ	Notice Issued

Matlock St Giles

ENF/13/00084	Unauthorised erection of workshop	Phillips Woodware Smuse Lane Matlock Derbyshire DE4 5EY	Notice Issued
ENF/16/00053	Unauthorised access off Riber Road.	Brookdale Riber Road Lea Derbyshire DE4 5JQ	Notice Issued

ENF/16/00089	Breaches of Planning Control	ALS Scaffolding Services Limited Sunnyside Farm Whitelea Lane Tansley Derbyshire DE4 5FL	Notice Issued
ENF/17/00020	Unauthorised use of land for the storage and stationing of caravans.	Duke William Hotel 91 Church Street Matlock Derbyshire DE4 3BZ	Notice Issued
ENF/17/00117	Unauthorised engineering works and formation of access	Land And Track Opposite Willersley Lane Plantation Matlock Derbyshire DE4 5JE	Notice Issued
ENF/18/00031	Erection of signage and second access	Gate Inn The Knoll Tansley Derbyshire DE4 5FN	Pending Consideration
ENF/18/00044	Breach of condition 7 of planning permission 15/00566/FUL	Hilltops View Garage Courtyard Hazel Grove Matlock Derbyshire	Pending Consideration
ENF/18/00063	Unauthorised banner sign	Matlock Cricket Club Causeway Lane Matlock Derbyshire DE4 3AR	Pending Consideration
ENF/18/00074	Engineering operations to create hardstanding for cars and associated removal and disposal of materials on private land	The Croft Green Lane Tansley Derbyshire DE4 5FJ	Pending Consideration
ENF/18/00080	Alleged unauthorised building works at 44 The Knoll, Tansley	44 The Knoll Tansley Derbyshire DE4 5FN	Pending Consideration
ENF/18/00083	Unauthorised signage to a listed building - Banner sign fixed to building and banner signs in grounds	Tavern At Tansley Nottingham Road Tansley Derbyshire DE4 5FR	Pending Consideration
ENF/18/00093	Dwellings not being built in accordance with planning permission 16/00779/FUL - Built higher than approved	Land Adjacent To 9 Oak Tree Gardens Tansley Derbyshire	Pending Consideration
ENF/18/00094	Breach of Condition 5 of planning application 17/00025/REM (Hours of Operation)	Land At Asker Lane Matlock Derbyshire	Pending Consideration
ENF/18/00097	Erection of unauthorised retaining wall	Land East Of Chesterfield Road / South Of Quarry Lane Matlock Derbyshire	Pending Consideration
ENF/18/00099	Piling of soil and materials	Land And Barn At The Corner Of Thatchers Lane And Alders Lane Tansley Derbyshire	Pending Consideration
ENF/18/00107	Operation of residential dwelling as a bed and breakfast facility with 6 letting rooms	The Chalet Bungalow Butts Drive Matlock Derbyshire DE4 3DJ	Pending Consideration
ENF/18/00132	Replacement windows and non compliance with planning permission 13/00762/FUL	27 - 29 Causeway Lane Matlock Derbyshire	Pending Consideration

ENF/14/00030	Change of use of land from use for Microlight flying to use for the flying of Biplane aircraft.	Airways Airsports Darley Moor Airfield Darley Moor Ashbourne Derbyshire DE6 2ET	Pending Consideration
ENF/17/00056	Unauthorised engineering works to facilitate access at Old House Farm, Can Alley, Roston, Derbyshire	Old House Farm Can Alley Roston Derbyshire DE6 2EF	Pending Consideration
ENF/17/00113	Unauthorised engineering works to facilitate what appears to be a hard standing area for the base of a garage.	Old Barn Riggs Lane Marston Montgomery Derbyshire DE6 2FD	Pending Consideration
ENF/17/00137	Change of use of agricultural land for the siting of 2 caravans for human habitation	Shaw Lane Farm Shaw Lane Marston Montgomery Derbyshire DE6 2FJ	Notice Issued
ENF/17/00156	Unauthorised engineering works to create a vehicular access to the holiday lets from the Roston Inn car park	Roston Inn Mill Lane Roston Derbyshire DE6 2EE	Pending Consideration
ENF/18/00089	Siting of a caravan in agricultural field	"Doles" Field Adj. The Elms And Elms Farmhouse Church Lane Cubley Derbyshire	Pending Consideration
ENF/18/00102	Office accommodation being used as a residence, business operating outside of opening hours, non-compliance with agreed parking arrangements and bay structure erected in car park	Woolliscroft (Garage Services) Former Abattoir Green Lane Norbury Derbyshire DE6 2EL	Notice Issued

Stanton

ENF/18/00075	Engineering work construction of retaining wall within the curtilage of Grade II listed building	Midland Cottages 1 - 2 Dale Road North Rowsley Derbyshire DE4 2EL	Pending Consideration
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Winster And South Darley

ENF/18/00122	Unauthorised erection of garage	Stags House 35 Main Road Darley Bridge Derbyshire DE4 2JY	Pending Consideration
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Wirksworth

ENF/16/00079	Erection of timber fence over 1 metre in height adjacent a highway.	20 Willowbath Lane Wirksworth Derbyshire DE4 4AY	Notice Issued
ENF/17/00002	Unauthorised engineering operations to create a raised area	11 New Road Bolehill Derbyshire DE4 4GL	Pending Consideration
ENF/17/00018	Unauthorised works to remove a fire surround in a Grade II Listed Building.	Red Lion Hotel Market Place Wirksworth Derbyshire DE4 4ET	Pending Consideration
ENF/17/00023	Breach of conditions on planning permission 14/00891/FUL	Mount Cook Adventure Centre Porter Lane Middleton By Wirksworth Derbyshire DE4 4LS	Pending Consideration

ENF/17/00051	Unauthorised change of use of garage/store to beauty studio.	The Mews 3 Wirksworth Hall Farm Wash Green Wirksworth Derbyshire DE4 4FD	Pending Consideration
ENF/17/00104	Non compliance with planting condition	Land Adjacent To 11A Little Bolehill Bolehill Derbyshire DE4 4GR	Pending Consideration
ENF/17/00106	Erection of High Fence Posts	2 New Road Bolehill Derbyshire DE4 4GL	Pending Consideration
ENF/17/00127	Engineering operations	11A Little Bolehill Bolehill Derbyshire DE4 4GR	Pending Consideration
ENF/17/00140	Unauthorised building works to raise the height of building approved under 16/00536/FUL	5 Cromford Road Wirksworth Derbyshire DE4 4FH	Pending Consideration
ENF/17/00153	Unauthorised change of use of agricultural land for the siting of a mobile home and two shipping containers.	Longway Bank Wood Longway Bank Whatstandwell Derbyshire	Pending Consideration
ENF/17/00154	Unauthorised change of use of land and buildings	Sleepy Hollow Farm Hopton Lane Wirksworth Derbyshire DE4 4DF	Pending Consideration
ENF/18/00010	Camping Pods not erected in the approved location	Mount Cook Adventure Centre Porter Lane Middleton By Wirksworth Derbyshire DE4 4LS	Pending Consideration
ENF/18/00014	New Shop Signage	26 - 27 Market Place Wirksworth Derbyshire DE4 4ET	Pending Consideration
ENF/18/00023	Unauthorised erection of fence	Land At Cromford Road Wirksworth Derbyshire	Pending Consideration
ENF/18/00049	Breach of condition of 16/00420/FUL - Colour of fascia boards on dwellings	Land East Of Derby Road Wirksworth Derbyshire	Pending Consideration
ENF/18/00100	Various alterations to property including the installation of white UPVC windows	7 The Dale Wirksworth Derbyshire DE4 4EJ	Pending Consideration
ENF/18/00126	Removal of front wall and erection of ply wood replacement	Kenwood Cottage Wash Green Wirksworth Derbyshire DE4 4FD	Pending Consideration

Total Open Cases

146

Enforcement Investigations Closed

In the 6 Months Prior to 02/08/2018



Ashbourne North

ENF/17/00054	Breach of pre-commencement condition 4 of planning permission 17/00169/FUL - erection of garage and swimming pool building and external alterations to barn.	Grange Barn Kniveton Derbyshire DE6 1JQ	Complied Voluntarily	13/02/2018
ENF/18/00040	Untidy Site (Former Public Toilets)	1 Union Street Ashbourne Derbyshire DE6 1FG	Complaint Unfounded	23/03/2018
ENF/18/00060	Issues regarding facia's throughout the exterior of the building	Land Off Horse And Jockey Yard St John Street Ashbourne Derbyshire DE6 1GH	Not in the Public interest to pursue	13/04/2018
ENF/18/00061	Alleged unauthorised creation of raised patio in rear garden of 15 Spire Close	15 Spire Close Ashbourne Derbyshire DE6 1DB	Complaint Unfounded	13/04/2018

Ashbourne South

ENF/18/00051	Breach of condition 18 of planning application 17/00337/FUL - Working outside of permitted hours	Land South Of Old Derby Road Ashbourne Derbyshire	Complied Voluntarily	06/07/2018
ENF/18/00052	Breach of Condition 24 (Tree Protection) of planning application reference no. 17/00250/REM	Land South Of Leys Farm Wyaston Road Ashbourne Derbyshire	Complaint Unfounded	27/07/2018

Brailsford

ENF/17/00073	Alleged breach of condition 9 relating to planning permission DDD/0299/0100 - CHANGE OF USE OF PART OF CHEESE FACTORY TO DWELLING WITH COMMERCIAL STUDIO AND SEPARATE OFFICE - for Mr S Webb	The Cheese Factory Longford Lane Longford Derbyshire DE6 3DT	Complaint Unfounded	13/02/2018
ENF/17/00125	Installation of Flue to Serve Biomass Generator	Marsh Hollow Farm Shirley Lane Hollington Derbyshire DE6 3GD	Planning Application Received	26/07/2018
ENF/17/00143	Change of use of agricultural land into garden land with the creation of new vehicular accesses and creation of vehicle hardstanding	Ivy Cottage Longford Lane Longford Derbyshire DE6 3DT	Complaint Unfounded	13/02/2018

Carsington Water

ENF/16/00073	Unauthorised change of use and conversion of outbuildings on land at Rock Cottage, Brassington, Matlock, Derbyshire, DE4 4HA	Rock Cottage Hillside Lane Brassington Derbyshire DE4 4HA	Not in the Public interest to pursue	13/02/2018
ENF/17/00052	Unauthorised engineering works to install septic tank on land at the Manor House, Church St, Brassington, Derbyshire.	Manor House Church Street Brassington Derbyshire DE4 4HJ	Complied Voluntarily	26/03/2018
ENF/17/00085	Unauthorised building works comprising a change of structure on a building approved under PDA change of use	Former Wallands Farmhouse Ashbourne Road Brassington Derbyshire DE4 4DB	Planning Application Received	04/05/2018
ENF/17/00132	Unauthorised installation of gas cylinder, forward of a principal elevation.	Barnwood Main Street Hopton Derbyshire DE4 4DF	Planning Application Received	16/03/2018
ENF/17/00141	Tipping of Materials on Land	The Ketch Ashbourne Road Kniveton Derbyshire DE6 1JF	Not in the Public interest to pursue	18/06/2018
ENF/18/00050	Trellising in excess of 1m in height, adjacent to a highway used by vehicular traffic	Barney's Cottage Main Street Hognaston Derbyshire DE6 1PR	Complied Voluntarily	16/03/2018
ENF/18/00065	Works started on an extant permission (00/07/0521) granted in September 2000	Foxholes Foxholes Lane Kniveton Derbyshire DE6 1JN	Justification from Officer	05/06/2018
ENF/18/00091	Use of land a camp site, consisting of tents/ motorhomes/ caravans	Land To The East Of New House Farm Longrose Lane Kniveton Derbyshire DE6 1JL	Justification from Officer	29/05/2018

Clifton And Bradley

ENF/17/00155	Unauthorised engineering works to create a new spillway on land near Osmaston Saw Mill	Saw Mill Osmaston Derbyshire	Planning Application Received	19/03/2018
ENF/18/00133	Breach of condition 3 of planning permission 16/00311/FUL (construction materials to match existing building)	3 The Greenacre Clifton Derbyshire DE6 2DW	Not in the Public interest to pursue	25/07/2018

Darley Dale

ENF/17/00048	Alleged unauthorised lamp posts.	St Elphins St Elphins Park Darley Dale Derbyshire DE4 2RL	Planning Application Received	13/02/2018
ENF/17/00114	Breach of pre-commencement conditions relating to planning permission 15/00629/FUL - two storey extension.	1 Church Road Churchtown Darley Dale Derbyshire DE4 2GG	No Code []	26/03/2018
ENF/17/00119	Access Modifications/ Modifications to Public Footpath	Former Bent Farm/ Ameycroft Farm Farley Hill Matlock Derbyshire DE4 5LT	Complaint Unfounded	13/02/2018
ENF/18/00043	Breach of conditions 22 and 23 of planning permission 16/00789/FUL	Land South West Of Old Hackney Lane Hackney Derbyshire	Justification from Officer	15/06/2018

ENF/18/00118	Unauthorised Banner Adverts on metal poles	Grounds Of St Elphins Park Darley Dale Derbyshire	Complied Voluntarily	05/07/2018
ENF/18/00127	Parking of various commercial vehicles to the rear of Derwent View. People sleeping in box vans overnight.	14 Derwent View Church Road Churchtown Darley Dale Derbyshire DE4 2LB	Justification from Officer	25/07/2018

Dovedale And Parwich

ENF/15/00065	Alleged change of use of pub car park to use for the stationing of vehicular mobile homes.	Okeover Arms Mapleton Road Mapleton Derbyshire DE6 2AB	Notice complied with	23/07/2018
ENF/18/00076	Unauthorised erection of smoking shelter and adjacent timber fencing	Okeover Arms Mapleton Road Mapleton Derbyshire DE6 2AB	Complied Voluntarily	23/07/2018

Doveridge And Sudbury

ENF/18/00025	Alleged unauthorised building works on land at The Woodyard, Pump Lane, Doveridge	The Woodyard Pump Lane Doveridge Derbyshire DE6 5LX	Complaint Unfounded	21/02/2018
ENF/18/00131	Construction Noise and Dust Control in relation to planning permission reference numbers 15/00739/OUT (outline consent) and 17/00092/REM (reserved matters)	Land Off Derby Road Doveridge Derbyshire	Justification from Officer	10/07/2018

Hulland

ENF/18/00045	Subdivision of property to create an additional dwelling and a holiday let	Addcrofts Farm Hob Lane Kirk Ireton Derbyshire DE6 3LG	Complaint Unfounded	11/05/2018
ENF/18/00109	Installation of external lighting on storage building, storage of unauthorised materials on site and land at corner of Money Hills Lane incorporated into curtilage	Land To The North West Of Smith Hall Farm Smith Hall Lane Hulland Ward Derbyshire	Not in the Public interest to pursue	20/06/2018

Masson

ENF/16/00090	Erection of a shed, decking and fence.	2 Primrose Cottages St Johns Road Matlock Bath Derbyshire DE4 3PQ	Notice complied with	06/07/2018
ENF/17/00102	Erection of Four Sheds	Land Adj. The Allotments Between North Street And Bedehouse Lane Cromford Derbyshire DE4 3QZ	Planning Application Received	12/06/2018
ENF/17/00145	Unauthorised works to ground floor concrete floor slab, contrary to condition 8 of 15/00329/LBALT	1 High Street Bonsall Derbyshire DE4 2AS	Complied Voluntarily	13/06/2018
ENF/18/00028	Alleged changed of use of hotel building, Temple Hotel, Matlock Bath.	Temple Hotel Temple Walk Matlock Bath Derbyshire DE4 3PG	Complaint Unfounded	17/05/2018

ENF/18/00033	Alleged works to change use of building	Temple Hotel Temple Walk Matlock Bath Derbyshire DE4 3PG	Complaint Unfounded	13/06/2018
ENF/18/00113	Breach of Conditions 4, 5 and 6 planning application no. 18/00135/FUL and waste collection issues	Tennis Courts Derwent Gardens South Parade Matlock Bath Derbyshire	Not in the Public interest to pursue	05/07/2018

Matlock All Saints

ENF/17/00110	Development not being built in accordance with approved plans (Doors in Gable End)	The Lawns Cavendish Road Matlock Derbyshire DE4 3GZ	Not in the Public interest to pursue	25/07/2018
ENF/17/00146	Development not being built in accordance with the approved plans (Application Reference 17/00567/FUL)	10 Crook Stile Matlock Derbyshire DE4 3LJ	Justification from Officer	05/03/2018
ENF/18/00034	Replacement Shop Front	Turkish Delight 57 Dale Road Matlock Derbyshire DE4 3LT	No Code []	12/04/2018
ENF/18/00036	Land clearance and potential use of land as an off road motorcycle track	Land At Masson Hill Salters Lane Matlock Bath Derbyshire	Justification from Officer	23/03/2018
ENF/18/00054	Pre-commencement conditions 4, 5 and 6 of planning permission 17/00482/FUL not discharged prior to planned start on site	55A Wellington Street Matlock Derbyshire DE4 3GS	Justification from Officer	10/04/2018
ENF/18/00073	Unauthorised signage and alterations to retail premises	Iceland 1 Firs Parade Matlock Derbyshire DE4 3AS	Planning Application Received	11/06/2018
ENF/18/00098	Importing and spreading of materials onsite	Hall Dale Quarry Snitterton Road Snitterton Matlock Derbyshire	Not in the Public interest to pursue	15/06/2018
ENF/18/00128	Erection of wooden posts and metal fencing on possible highway land	Land North West Of Megdale (Former DDDC Plant Nursery) Matlock Derbyshire DE4 3JZ	Complaint Unfounded	05/07/2018

Matlock St Giles

ENF/16/00046	Alleged that the stone used for the extension is not in keeping with the rest of the property as conditioned by the planning permission 14/00360/FUL	Hurst Cottage 14 Bull Lane Matlock Derbyshire DE4 5LX	Justification from Officer	21/02/2018
ENF/16/00056	Change of use of agricultural land to the rear of 70 - 80 Starkholmes Road Matlock, to incorporate within the domestic curtilage of 72 Starkholmes Road, Matlock, DE4 3DD.	72 Starkholmes Road Matlock Derbyshire DE4 3DD	Complaint Unfounded	24/04/2018
ENF/17/00079	Breach of condition 5 on planning permission 16/00889/FUL	ALS Scaffolding Services Limited Sunnyside Farm Whitelea Lane Tansley Derbyshire DE4 5FL	Justification from Officer	12/02/2018

ENF/18/00024	Erection of industrial buildings, sheds and the siting of a chalet/ caravan	Ox Close Farm Carr Lane Riber Matlock Derbyshire DE4 5JT	Complaint Unfounded	15/02/2018
ENF/18/00026	Erection of Breeze Block Wall and Parking of Caravan	44 The Knoll Tansley Derbyshire DE4 5FN	Complaint Unfounded	20/02/2018
ENF/18/00030	Unauthorised tipping of materials	Land Adjacent To 9 Oak Tree Gardens Tansley Derbyshire	Justification from Officer	12/03/2018
ENF/18/00106	Occupation of garage as a dwellinghouse	The Chalet Bungalow Butts Drive Matlock Derbyshire DE4 3DJ	Complaint Unfounded	15/06/2018
ENF/18/00134	Erection of a Boundary Fence	14 Lumsdale Crescent Matlock Derbyshire DE4 3EX	Complaint Unfounded	25/07/2018

Norbury

ENF/11/00091	Untidy site - storage of scrap materials (Timber, metal, pipes, bricks, slates, gravel etc), old vehicles and caravans in a state of disrepair. Land at Marston House Farm and Home Farm, Thurvaston Road, Marston Montgomery, Ashbourne, Derbyshire, DE6 2FF	Home Farm Thurvaston Road Marston Montgomery Derbyshire DE6 2FF	Notice complied with	13/02/2018
ENF/13/00050	Unauthorised building works to an agricultural building. (Increasing the height).	Barn Opposite Field Cottage Finny Lane Rodsley Derbyshire	Not in the Public interest to pursue	13/02/2018
ENF/16/00068	Alleged breach of condition 9 relating to the slurry pit on land at Four Oaks Farm, Shields Lane, Roston. 10/00580/FUL - condition 9 "The slurry lagoon hereby approved shall only be used for the storage of slurry arising from the keeping of livestock on the site and livestock kept at Pear Tree Farm, Stubwood. It shall not be used for the storage of slurry or any other waste material imported from elsewhere".	Land To The South Of West View Shields Lane Roston Derbyshire	Complaint Unfounded	13/06/2018
ENF/18/00007	Breach of Condition 1 of 15/00691/FUL - Removal of Mobile Home from site by 8th September 2017	Honeysuckle Farm Shirley Lane Rodsley Derbyshire DE6 3AL	Justification from Officer	02/07/2018
ENF/18/00046	Breach of condition 6 of planning permission 13/00417/FUL - Hardstanding for parking free from impediment to it's use	Spring Cottage Rodsley Lane Rodsley Derbyshire DE6 3AL	Complaint Unfounded	19/03/2018

Stanton

ENF/18/00027	Occupied flat built inside barn	New Fallinge Farm Chesterfield Road Rowsley Derbyshire DE4 2NN	Complaint Unfounded	05/03/2018
ENF/18/00056	Alleged unlawful erection of a raised signal box	Peak Rail Rowsley South Station Harrison Way Darley Dale Derbyshire DE4 2LF	Complaint Unfounded	06/04/2018

Winster And South Darley

ENF/17/00053	Unauthorised rear extension	72 Eversleigh Rise Darley Bridge Derbyshire DE4 2JW	Planning Application Received	26/07/2018
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Wirksworth

ENF/12/00022	Unauthorised stationing of a wooden chalet building and two steel containers.	The WoodYard. Homesford. Matlock. Derbyshire. DE4 5HL.	Justification from Officer	15/05/2018
ENF/15/00068	Unauthorised change of use of land for the stationing of a caravan for residential purposes, the erection of a small timber building and the erection of a polly tunnel and portaloo.	Peak View Caravan Site Brassington Lane Wirksworth Derbyshire	Complied Voluntarily	13/02/2018
ENF/17/00031	Unauthorised installation of a white plastic door and window.	1 Cavendish Cottages Cromford Road Wirksworth Derbyshire DE4 4FP	Complied Voluntarily	02/03/2018
ENF/17/00092	Failure to correctly discharge pre-commencement planning conditions relating to planning permission 16/00229/PDA - change of use of agricultural building to dwelling house(use class C3) and associated building operations.	Arm Lees Farm Ryder Point Road Wirksworth Derbyshire DE4 4HE	Justification from Officer	08/02/2018
ENF/17/00105	Finished detail on apartment bay windows not in accordance with the approved design	Land At Cromford Road Wirksworth Derbyshire	Justification from Officer	15/02/2018
ENF/17/00136	Artist's studio building not built in accordance with approved details	Walkers Cottage 31 - 33 The Dale Wirksworth Derbyshire DE4 4EJ	Complied Voluntarily	29/05/2018
ENF/18/00002	Unauthorised erection of raised platform, above 0.3m from ground level.	14 Main Street Middleton By Wirksworth Derbyshire DE4 4LQ	Planning Application Received	05/07/2018
ENF/18/00006	Breach of Condition 7 of 14/00462/FUL - Tree Planting	Bailey Croft Car Sales Harrison Drive Wirksworth Derbyshire	Planning Application Received	10/04/2018
ENF/18/00019	Erection of building and temporary screen	Lant Close Farm Bolehill Road Bolehill Derbyshire DE4 4GQ	Complaint Unfounded	04/04/2018
ENF/18/00022	Work activities being carried out from the site	Ashleigh House Cromford Road Wirksworth Derbyshire DE4 4FR	Complaint Unfounded	16/04/2018
ENF/18/00079	Installation of a Stair Lift in property	2 Gells Flats Church Walk Wirksworth Derbyshire DE4 4DP	Planning Application Received	16/07/2018
ENF/18/00108	Unauthorised outbuilding	Fountain House 13 Main Street Middleton By Wirksworth Derbyshire DE4 4LQ	Planning Application Received	15/06/2018

NOT CONFIDENTIAL - For public release

PLANNING COMMITTEE – 14th August 2018

PLANNING APPEAL – PROGRESS REPORT

Report of the Corporate Director

REFERENCE	SITE/DESCRIPTION	TYPE	DECISION/COMMENT
Southern			
17/00752/FUL	The Manor House, Church Street, Brassington	WR	Appeal being processed
18/00037/FUL	Ivy Cottage, Twisses Bank, Boylestone	HOUSE	Appeal being processed
18/00354/FUL	Knaveholm, Sides Lane, Snelston	HOUSE	Appeal being processed
Central			
18/00104/FUL	St. Elphins Cottage, Blind Lane, Hackney	WR	Appeal being processed
ENF/17/00142	St. Elphins Cottage, Blind Lane, Hackney	WR	Appeal being processed
ENF/17/00158	St. Elphins Cottage, Blind Lane, Hackney	WR	Appeal being processed
ENF/17/00159	St. Elphins Cottage, Blind Lane, Hackney	WR	Appeal being processed
ENF/16/00079	20 Willowbath Lane, Wirksworth	WR	Appeal being processed
17/00453/FUL	20 Willowbath Lane, Wirksworth	WR	Appeal being processed
18/00121/FUL	Littlemoor Wood Farm, Littlemoor Lane, Matlock	WR	Appeal being processed

WR - Written Representations
IH - Informal Hearing
PI – Public Inquiry
LI - Local Inquiry
HH - Householder

OFFICER RECOMMENDATION: That the report be noted.

BACKGROUND PAPERS

The following documents have been identified in accordance with the provisions of Section 100(d) (5) (a) of the Local Government Act 1972 and are listed for inspection by members of the public.

Background papers used in compiling reports to this Agenda consist of:

- The individual planning application, (including any supplementary information supplied by or on behalf of the applicant) and representations received from persons or bodies consulted upon the application by the Local Planning Authority and from members of the public and interested bodies by the time of preparation of the Agenda.
- The Town and Country Planning Act 1990 (as amended), the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and related Acts, Orders and Regulation and Circulars published by or on behalf of the Secretary of State for the Department for Communities and Local Government.
- The National Planning Policy Framework
- The Planning Practice Guidance

These documents are available for inspection and will remain available for a period of up to 4 years from the date of the meeting, during normal office hours. Requests to see them should be made to our Business Support Unit on 01629 761336 and arrangements will be made to comply with the request as soon as practicable.

BACK TO AGENDA