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PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 18 June 2019 at 6.00pm at Council Chamber, Town Hall, Matlock.

PRESENT

Councillor Jason Atkin - In the Chair

Councillors Robert Archer, Richard Bright, Matthew Buckler, Sue Bull, Tom Donnelly, Helen Froggatt, David Hughes, Stuart Lees, Joyce Pawley, Peter Slack, Steve Wain and Mark Wakeman.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Chris Whitmore (Principal Planning Officer), Gareth Griffiths (Senior Planning Officer), Kerry France (Principal Solicitor), Jim Fearn (Communications and Marketing Manager) and Jackie Cullen (Committee Assistant).

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

APOLOGIES

Apologies for absence were received from Councillors Sue Burfoot, Richard FitzHerbert, Garry Purdy and Alasdair Sutton. Councillors Tom Donnelly, Helen Froggatt, Steve Wain and Mark Wakeman attended as Substitute Members.

The meeting was recorded and broadcast live on YouTube.

27/19 – MINUTES

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

RESOLVED That the minutes of the Planning Committee meeting held on 12
(unanimously) March 2019 be approved as a correct record.

The Minutes were signed by the Chairman.

28/19 – INTERESTS

Councillor Helen Froggatt declared a non-pecuniary personal interest in Agenda Item 4.6 – APPLICATION NO. 19/00138/FUL – ERECTION OF DWELLING AT LAND ADJACENT

TO JENNA, BURNETT LANE, HACKNEY in that she was an acquaintance of the Architect. Cllr Froggatt was not present during discussion of and voting on this item.

Councillor Robert Archer declared a non-pecuniary personal interest in Agenda Item 4.3 – APPLICATION NO. 18/01318/FUL – EXTEND AND REFURBISH TEACHING BLOCK, CREATION OF CAR PARK AND 2 NO. PASSING BAYS TO ACCESS AT QUEEN ELIZABETH SIXTH FORM CENTRE, BOOTHBY MEADOW SCHOOL, COKAYNE AVENUE, ASHBOURNE, due to a family connection to the school.

29/19 – APPLICATION NO. 19/00076/FUL – TWO STOREY REAR EXTENSION AT PARK HOUSE, MATLOCK GREEN, MATLOCK

The Committee visited the site prior to the meeting to allow Members to assess the proposed development in its context.

In accordance with the procedure for public participation, Mrs Sharron Seal (Applicant) spoke in favour of the application.

It was moved by Councillor Susan Bull, seconded by Councillor Peter Slack and

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

30/19 - APPLICATION NO. 19/00077/FUL – EXTENSION AND CONVERSION OF GARAGE TO HOLIDAY LET AT PARK HOUSE, MATLOCK GREEN, MATLOCK

This item was withdrawn.

31/19 - APPLICATION NO. 18/01318/FUL – EXTEND AND REFURBISH TEACHING BLOCK, CREATION OF CAR PARK AND 2 NO. PASSING BAYS TO ACCESS AT QUEEN ELIZABETH SIXTH FORM CENTRE, BOOTHBY MEADOW SCHOOL, COKAYNE AVENUE, ASHBOURNE

The Committee visited the site prior to the meeting to allow Members to assess the impact of the proposed development on its surroundings and the local environment, including the residential amenity of the occupants of nearby dwellings.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised notification of the Council's receipt of a Transport Assessment indicating that the proposed development was in accordance with national and local transport policies; correspondence from the Local Highway Authority confirming that they raised no objections to the officer recommendation and that the recommended conditions covered highway safety related matters; and a request by the Applicant to re-consider Condition 6 in the Officer's report, together with the Officer's response thereto.

In accordance with the procedure for public participation Mr Craig Seller (Local Resident) spoke against the application and Mr Scott Garrity (Head Teacher) spoke in favour of the application.

It was proposed by Cllr Joyce Pawley and seconded by Cllr Mark Wakeman that two further conditions be added, as follows:

Condition 10: This permission does not convey any authorisation to erect any exterior lighting to illuminate the car park surface without the prior written approval of the Local Planning Authority on an application submitted to it.

Reason:

To safeguard the residential amenity of the occupants of nearby dwellings in accordance with the aims of Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

Condition 11: The remodelled and extended building hereby approved shall only be in use as a sporting facility when sporting activity on adjacent controlled land is taking place and shall be vacated / closed no later than 2 hours after the last sporting activity ceases until the following day in the case of school use and/or the next sporting activity, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the residential amenity of the occupants of nearby dwellings in accordance with the aims of Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

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

RESOLVED That planning permission be granted subject to the conditions set out in the report, together with the two additional Conditions set out below:

10. This permission does not convey any authorisation to erect any exterior lighting to illuminate the car park surface without the prior written approval of the Local Planning Authority on an application submitted to it.

Reason:

To safeguard the residential amenity of the occupants of nearby dwellings in accordance with the aims of Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

11. The remodelled and extended building hereby approved shall only be in use as a sporting facility when sporting activity on adjacent controlled land is taking place and shall be vacated / closed no later than 2 hours after the last sporting activity ceases until the following day in the case of school use and/or the next sporting activity, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the residential amenity of the occupants of nearby dwellings in accordance with the aims of Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

Voting:

For	12
Against	0
Abstentions	1

The Chairman declared the motion CARRIED.

32/19 - APPLICATION NO. 19/00042/FUL – CONVERSION AND EXTENSION OF STONE BARN TO FORM A DWELLING AND REMOVAL OF A REDUNDANT AGRICULTURAL BUILDING AT BARN ADJACENT TO OLD VICARAGE, ASHBOURNE ROAD, BRASSINGTON

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

In accordance with the procedure for public participation, Ms Tina Humphreys (on behalf of the Applicant) spoke in favour of the application.

It was moved by Councillor Peter Slack, seconded by Councillor Stuart Lees and

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

33/19 – APPLICATION NO. 18/01430/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 12 DWELLINGS (OUTLINE) AT MATLOCK TRANSPORT, NORTHWOOD LANE, DARLEY DALE

The Committee visited the site prior to the meeting to allow Members to assess the existing and future employment potential of the site, the impact on the character and appearance of the site and its surroundings, land drainage, tree protection and ecology matters.

Correspondence received after publication of the agenda was distributed at the meeting, comprising a request by the Applicant's Agent for clarification in respect of Conditions 11 and 13. The Senior Planning Officer subsequently addressed these concerns.

In accordance with the procedure for public participation, Mr Richard Pigott (Agent) spoke in favour of the application.

It was moved by Councillor Peter Slack, seconded by Councillor Mark Wakeman and

RESOLVED That subject to the Applicant entering into a Section 106 Legal Agreement to provide for on-site and off-site affordable housing provision and a financial contribution towards play space provision/improvement, outline planning permission be granted subject to the conditions set out in the report.

34/19 – APPLICATION NO. 19/00138/FUL – ERECTION OF DWELLING AT LAND ADJACENT TO JENNA, BURNETT LANE, HACKNEY

The Committee visited the site prior to the meeting to allow Members to assess the proposed development in its context.

In accordance with the procedure for public participation, Mr Joe Oldfield (Agent) spoke in favour of the application.

It was moved by Councillor Richard Bright, seconded by Councillor Mark Wakeman and

RESOLVED That planning permission be granted for the reasons set out below, and (unanimously) that delegated authority be given to the Development Manager to prepare a suitable list of conditions for this application.

Reasons

1. That the harm caused in terms of visual appearance is considered minimal;
2. That the proposed development is sustainable;
3. That it is unlikely that a precedent would be set due to the unique set of circumstances surrounding the location of this application with regard to the Settlement Framework Boundary.

35/19 – APPLICATION NO. 19/00485/S106M – PROPOSED MODIFICATION OF SECTION 106 AGREEMENT DATED 13TH DECEMBER 2015 TO AMEND THE TERMS OF THE AFFORDABLE HOUSING PROVISION AND MAKE PROVISION FOR OFF-SITE SPORTS CONTRIBUTION AT LEYS FARM, WYASTON ROAD, ASHBOURNE

In accordance with the procedure for public participation, Cllr. Jane Harris, Ashbourne Town Council, spoke against the application

It was moved by Councillor Tom Donnelly, seconded by Councillor Helen Froggatt and

RESOLVED That delegated authority be given to the Development Manager to (unanimously) instruct Legal Services to secure the following through a Deed of Variation:

- The transfer of the 7 no. affordable dwellings proposed as part of approval of reserved matters application code ref. 19/00073/REM to a registered social landlord for £1
- An off-site affordable housing contribution of £664,160.20
- £71,573 towards a local sports pavilion project at Ashbourne Recreation Ground.

and upon completion of the Deed of Variation, the application be granted, with the following footnote:

1. This planning permission shall be read in conjunction with the accompanying legal agreement under Section 106 of the Town and Country Planning Act 1990 dated

36/19 - INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

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

RESOLVED That the report be noted.
(unanimously)

37/19 - APPEALS PROGRESS REPORT

The Development Control Manager advised the Committee that Applications 17/00125/FUL and 17/00126/FUL (Red Lion Hotel, Market Place, Wirksworth) had been successfully defended and the Appeals were dismissed.

With regard to Application 18/00859/FUL (1 Union Street, Ashbourne), the Development Control Manager advised that Officers had prepared the bulk of the Council's defence, but requested that Cllr Peter Slack provide further assistance, as the original mover of the Resolution to refuse planning permission.

It was moved by Councillor Jason Atkin, seconded by Councillor Joyce Pawley and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 7.35PM

CHAIRMAN