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## Planning Committee

**Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 10th May, 2022 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

**PRESENT** Councillor Jason Atkin - In the Chair

Councillors: Robert Archer, Sue Bull, Sue Burfoot, Neil Buttle, Tom Donnelly, Richard FitzHerbert, Helen Froggatt, Stuart Lees and Peter O'Brien and Andrew Statham.

Joseph Baldwin (Senior Planning Officer), Lee Gardner (Legal Services Manager), Gareth Griffiths (Senior Planning Officer), Lucy Harrison (Democratic Services Assistant), Tommy Shaw (Democratic Services Team Leader) and Chris Whitmore (Development Control Manager)

Members of the Public – 18

### **Note:**

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### **APOLOGIES**

Apologies for absence were received from Councillor(s): Clare Gamble and Peter Slack

### **391/21 - APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors: Garry Purdy (substitute Helen Froggatt), Peter Slack, Graham Elliott (substitute Andrew Statham) and Clare Gamble.

### **392/21 - INTERESTS**

Councillor Richard FitzHerbert declared an interest in the items listed below as he had previously made public representations in support of the applications and so was at risk of predetermination. Councillor FitzHerbert therefore left the room during the determination of these items.

Item 5.3 – Application No. 21/01336/FUL  
Item 5.6 – Application No. 21/01513/FUL  
Item 5.7 – Application No. 22/00354/LBALT

### **393/21 - APPLICATION NO. 21/01513/FUL**

Councillor Richard FitzHerbert was absent during consideration of this item as he had previously declared an interest.

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

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

In accordance with the procedure for public participation, Mrs Julie Palmer (Applicant) spoke in support of the application.

Consultation responses were set out in section 5 of the report

It was moved by Councillor Stuart Lees, seconded by Councillor Tom Donnelly and

### **RESOLVED**

That authority be delegated to the Development Manager to give approval to the planning permission, once they have received an appropriate level of information to be satisfied that protected species would not be adversely affected by this development.

### **Voting**

**8 For**  
**2 Against**  
**0 Abstentions**

The Chairman declared the motion **CARRIED**.

### **394/21 - APPLICATION NO. 22/00354/LBALT**

Councillor Richard FitzHerbert was absent during consideration of this item as he had previously declared an interest.

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

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

Consultation responses were set out in section 5 of the report

It was moved by Councillor Neil Buttle, seconded by Councillor Robert Archer and

### **RESOLVED**

That authority be delegated to the Development Manager, subject to the approval of full planning consent, as detailed in the decision above, and their satisfaction that the special character and appearance of the former farm building will be protected.

### **Voting**

**9 For**  
**1 Against**  
**0 Abstentions**

The Chairman declared the motion **CARRIED**.

### **395/21 - APPLICATION NO. 21/01345/FUL**

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

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

In accordance with the procedure for public participation, Mr Matthew Hewitt (Architect) spoke in support of the application.

Consultation responses were set out in section 6 of the report.

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Andrew Statham and

### **RESOLVED**

That planning permission be approved subject to the conditions set out in the report.

### **Voting**

**6 For**  
**4 Against**  
**1 Abstentions**

The Chairman declared the motion **CARRIED**.

### **396/21 - APPLICATION NO. 21/01346/LBALT**

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

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

Consultation responses were set out in section 6 of the report.

It was moved by Councillor Richard FitzHerbert and seconded by Councillor Andrew Statham that planning permission be approved subject to the conditions set out in the report. This was put to vote, the voting was as follows:

### **Voting**

**5 For**  
**6 Against**  
**0 Abstentions**

The Chairman declared the motion **FALLEN**.

It was then moved by Councillor Neil Buttle and seconded by Councillor Peter O'Brien that consideration of this item be deferred to a future meeting of Planning Committee in order for further information to be collected regarding the effects of the construction work on the heritage assets of the building, specifically the window openings. This was put to the vote, the voting was as follows:

### **Voting**

**5 For**  
**5 Against**  
**1 Abstentions**

Due to a tied vote, the Chairman declared the motion **FALLEN**.

Further consideration of this item was referred to the next meeting of Planning Committee.

The meeting was adjourned from 7:30pm to 7:45pm following consideration of the item.

### **397/21 - DURATION OF MEETINGS (MOTION TO CONTINUE)**

At **8:30pm**, during the discussion of **Item 5.3 – Application No. 21/01336/FUL**

It was moved by Councillor Jason Atkin, seconded by Councillor Richard FitzHerbert and

**RESOLVED** (Unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue beyond 2 hours 30 minutes to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

### **398/21 - APPLICATION NO. 21/01336/FUL**

Councillor Richard FitzHerbert was absent during consideration of this item as he had previously declared an interest.

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

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

In accordance with the procedure for public participation, Mrs Dawn Newton (Applicant) spoke in support of the application. Mr Ray Smith (Local Resident), Ms Libba Jones (local Resident), Cllr Ruth Miles (Chair of Carsington and Hopton Parish Council) and Mr John Hedger (Brassington Parish Council) spoke against the application.

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Tom Donnelly, seconded by Councillor Stuart Lees and

**RESOLVED**

That planning permission be approved subject to the conditions set out in the report.

**Voting**

**5 For**

**4 Against**

**1 Abstentions**

The Chairman declared the motion **CARRIED**.

**399/21 - APPLICATION NO. 21/00575/FUL**

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

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

In accordance with the procedure for public participation, Mr Jim Malkin (Agent) spoke in support of the application. Mr Jonathan Edwards (Wyaston and Edlaston Noise Abatement Group) and Cllr Matthew Taylor (Edlaston and Wyaston Parish Council) spoke against the application.

Consultation responses were set out in section 6 of the report.

It was moved by Councillor Sue Burfoot, seconded by Councillor Sue Bull and

**RESOLVED** (Unanimously)

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

The Chairman declared the motion **CARRIED**.

**400/21 - APPLICATION NO. 21/01280/FUL**

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

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

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Tom Donnelly and seconded by Councillor Richard FitzHerbert, that planning permission be approved subject to the conditions set out in the report.

During debate, an amendment was proposed by Councillor Peter O'Brien and seconded by Councillor Sue Burfoot that condition 7 be amended to read as follows:

'All gutters, downpipes and other external plumbing shall be a cast iron or black cast iron effect plastic finish and so retained thereafter unless otherwise agreed in writing by the local planning authority.'

The amendment was put to the vote, the voting was as follows:

### **Voting**

**5 For**

**6 Against**

**0 Abstentions**

The Chairman declared the amendment **LOST**.

The substantive motion moved by Councillor Tom Donnelly and seconded by Councillor Richard FitzHerbert was the put to the vote and

**RESOLVED** (unanimously)

That planning permission be approved subject to the conditions set out in the report.

The Chairman declared the motion **CARRIED**.

### **401/21 - APPLICATION NO. 22/00015/FUL**

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

Consultation responses were set out in section 5 of the report.

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

**RESOLVED** (unanimously)

That planning permission be approved subject to the conditions set out in the report.

The Chairman declared the motion **CARRIED**.

### **402/21 - APPLICATION NO. 22/00219/FUL**

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

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

In accordance with the procedure for public participation, Mr Andrew Turner (Applicant) spoke in support of the application.

Consultation responses were set out in section 5 of the report.

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

### **RESOLVED**

That consideration of the application be DEFERRED to a future meeting, in order to allow the highways authority to visit the site and reconsider their recommendations regarding the application.

### **Voting**

**0 For**

**1 Against**

**1 Abstentions**

The Chairman declared the motion **CARRIED**.

### **403/21 - DURATION OF MEETINGS (MOTION TO CONTINUE)**

At **9:27pm**, during the discussion of **Item 5.10 – Application No. 22/00335/FUL**

It was moved by Councillor Jason Atkin, seconded by Councillor Richard FitzHerbert and

### **RESOLVED** (Unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue beyond 2 hours 30 minutes to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

### **404/21 - APPLICATION NO. 22/00335/FUL**

The Senior Planning Officer gave a presentation showing details of the application and photographs of the site and surroundings.

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

In accordance with the procedure for public participation, Iain Mainwaring (Applicant) and Cllr Jacqueline Allison (Ward Member) spoke in support of the application.

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Richard FitzHerbert, seconded by Councillor Sue Burfoot and

### **RESOLVED**

That planning permission be approved subject to the conditions set out below:

The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Before the first occupation of the dwelling, the entire site frontage shall be cleared, and maintained thereafter clear, of any obstruction exceeding 1m in height (600mm for vegetation) relative to the road level for a distance of 2m into the site from the highway boundary in order to maximise the visibility available to drivers emerging onto the highway.

Before the first occupation of the dwelling, space shall be provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents' vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

### **Voting**

**10 For**

**1 Against**

**0 Abstentions**

The Chairman declared the motion **CARRIED**.

### **405/21 - APPEALS PROGRESS REPORT**

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

**RESOLVED** (unanimously)

That the report be noted.

**Meeting Closed: 9.43 pm**

**Chairman**