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Planning Committee

Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 9th April, 2024 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor - David Burton, In the Chair

Councillors: Peter O'Brien, Sue Burfoot, Robert Archer, John Bointon, Neil Buttle, Peter Dobbs, Nigel Norman Edwards-Walker, Stuart Lees, Peter Slack, Nick Whitehead, Kelda Boothroyd and Marilyn Franks

Present as Substitute - Councillors: Kelda Boothroyd and Marilyn Franks

Kerry France (Legal Services Manager), Shaun Robson (Interim Development Manager), Sarah Arbon (Senior Planning Officer) and Angela Gratton (Democratic Services Officer)

Members of the Public – 17

Note:

"Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council's Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document."

APOLOGIES

Apologies for absence were received from Councillor(s): David Hughes, Laura Mellstrom and Dermot Murphy

412/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Peter Slack, seconded by Councillor Neil Buttle and

RESOLVED

That the minutes of the meeting of the Planning Committee held on 12 March 2024 be approved as a correct record.

Voting

11 For

0 Against

2 Abstentions

The Chair declared the motion **CARRIED**.

413/23 - INTERESTS

Item 5.6, Application No. 24/00637/FUL – Dale Road Methodist Church, Darley Dale - Erection of link extension between Church and Church Hall, installation of air source heat pump and associated landscaping and external alterations.

Councillor David Burton declared a non-pecuniary interest in Item 5.6.

414/23 - APPLICATION NO. 24/00027/FUL

The Interim 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 Jonathan Imber (Agent) spoke in support of the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of clarification from the agent on the size of the agricultural building relative to the holding.

It was moved by Councillor Nick Whitehead to approve the application, seconded by Councillor Peter O'Brien and

Voting

4 For

5 Against

3 Abstentions

1 No vote

The Chair declared the motion **LOST**.

It was then moved by Councillor Stuart Lees, seconded by Councillor Neil Buttle and

RESOLVED

That planning permission be refused for the following reasons:

1. Principle of development.

2. Impact on the countryside.
3. Impact on residential amenity.

Voting

7 For
5 Against
1 Abstentions

The Chair declared the motion **CARRIED**.

415/23 - APPLICATION NO. 24/00061/FUL

The Interim 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 Ian Strange (Tansley Parish Council) spoke against the application.

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

During debate it was moved by Councillor Nick Whitehead to defer the application, seconded by Councillor Peter Slack and

RESOLVED

That planning permission be deferred for the following reasons:

1. Information from the Highways Authority on the road adoption.
2. Can the garage be omitted from the scheme to allow the landscaping and larger garden area.
3. Clarity provided on S106.

Voting

10 For
0 Against
3 Abstentions

The Chair declared the motion **CARRIED**.

416/23 - APPLICATION NO. 24/00063/LBALT

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

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

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

During debate it was moved by Councillor Nick Whitehead to approve the application, seconded by Councillor Kelda Boothroyd and

Voting

2 For
10 Against
1 Abstentions

The Chair declared the motion **LOST**.

It was moved by Councillor Peter O'Brien to refuse the application with an advisory note to the applicant suggesting they negotiate with Planning Officers to find an alternative solution acceptable to the Conservation Officer, seconded by Councillor Neil Buttle and

RESOLVED

That the Listed Building Consent be refused for the following reasons:

1. The roof-lights have a detrimental impact on the special character and appearance of this Grade II Listed Building, thereby conflicting with the National Planning Policy Framework.

Voting

10 For
2 Against
1 Abstentions

The Chair declared the motion **CARRIED**.

7.35 pm – The Chair adjourned the meeting.

7.47 pm – The meeting reconvened.

417/23 - APPLICATION NO. 23/00885/FUL

The Senior Planner 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, Ms Emily Weston (Agent) spoke in support of the application. Mr Christopher Marsh (Local Resident), Ms Zoe Marsh (Local Resident), and Mr JR Hargreaves (Local Resident) spoke against the application.

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

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of information from the agent clarifying the measurements in section 7.9 of the report based on printing the layout plan SP01 Issue 4 at A1 and using the correct scale of 1:100.

It was moved by Councillor Nick Whitehead, seconded by Councillor Peter Slack and

RESOLVED (unanimously)

That planning permission be approved subject to the conditions set out in section 8 of the report with an additional note to the applicant as follows: 'In relation to submission of information for condition 19 the incorporation of grey water recycling should be considered'.

The Chair declared the motion **CARRIED**.

418/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 8.32 pm, it was moved by Councillor Stuart Lees, seconded by Councillor Peter Slack and

RESOLVED (Unanimously)

That in accordance with Rule of Procedure 13, the meeting continue to 9.30 pm to enable the business on the agenda to be concluded.

The Chair declared the motion **CARRIED**.

419/23 - APPLICATION NO. 23/01126/FUL

The Senior Planner 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 Jo Walton (Applicant) spoke in support of the application.

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

It was moved by Councillor Marilyn Franks, seconded by Councillor Peter Slack and

RESOLVED (unanimously)

That planning permission be approved subject to the conditions set out in section 8 of the report and additional conditions recommended by Derbyshire Wildlife Trust as follows:

1. Breeding Birds
2. Lighting
3. Reasonable Avoidance Measures to safeguard amphibians, reptiles and other wildlife including brown hare and hedgehogs
4. Biodiversity Enhancement Plan

And an additional condition / informative to install EV charging point.

The Chair declared the motion **CARRIED**.

420/23 - APPLICATION NO. 23/00637/FUL

8.45 pm Councillor David Burton left the meeting due to non-pecuniary interest in the item, Councillor Sue Burfoot took over as Chair for the item.

The Senior Planner 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, Ms Jeanette Anne Welsh (Applicant), Ms Ruth Burton (Local Resident) and Ms Becky Burton (Local Resident) spoke in support of the application. Cllr. Jason Farmer (Darley Dale Town Council) commented on the application.

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

It was moved by Councillor Marilyn Franks, seconded by Councillor Peter Slack and

RESOLVED

That planning permission approved with the following conditions:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.
Reason:
This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following plan no's 1162/016A, 015B,020, 021, 022A, 023A, 024.
Reason:
For the avoidance of doubt.
3. Construction hours shall be restricted to the hours of 8am to 6pm Mondays to Friday, 8am to 1pm on Saturdays and no working at all on Sundays and Bank Holidays.
Reason:
In the interests of preserving the amenity of neighbouring residents in accordance with Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017)
4. Prior to any site clearance, groundworks, excavations, demolition or construction works and before any materials or plant are brought onto the site for the purpose of the development the method of construction and Tree Protection Plan shall be provided and works implemented in accordance with the approved details.
Reason:
Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site

and locality, in accordance Policies PD1 and PD6 of the Adopted Derbyshire Dales Local Plan (2017).

5. Full constructional details of all new external window and door joinery and/or metal framed windows and doors (including finish colour) shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

Reason:

To protect the external appearance of the building and preserve the character of the area in accordance with Policy PD2 of the Adopted Derbyshire Dales Local Plan.

6. Samples of all facing and roofing materials (including material for the raised decking area) shall be submitted to and approved in writing by the Local Planning Authority before works commence on the facing walls or roof of the building(s). The works shall thereafter be constructed in accordance with the approved details.

Reason:

To protect the external appearance of the building and preserve the character of the area in accordance with Policy PD2 of the Adopted Derbyshire Dales Local Plan.

7. Full construction details shall be submitted for the abutments to the Church including sectional drawings prior to construction of the link building and the works shall thereafter be constructed in accordance with the approved details.

Reason:

To protect the external appearance of the building and preserve the character of the area in accordance with Policy PD2 of the Adopted Derbyshire Dales Local Plan.

8. The proposed works to the church hall shall not take place until the site has been registered under a Bat Mitigation Class Licence (Low Impact). Upon site registration, works shall proceed strictly in accordance with the approved mitigation, which should be based on the proposed measures outlined in section F.3.1 of the Bat Survey Report (LM Ecology, 2023) and amended as necessary based on any correspondence with Natural England. Such approved mitigation will be implemented in full accordance with the timetable of works included within the licence and followed thereafter. A copy of the conformation of site registration will be submitted to the Local Planning Authority once granted.

Reason:

In order to safeguard protected and/or priority species from undue disturbance and impacts in accordance with Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

9. Due to the presence of confirmed bat roosts within the church, the following shall be strictly adhered to: - There will be no work of any kind to the roof or eaves of the church, internally or externally. - There will be no demolition work on site. - An Ecological Clerk of Works shall be engaged to brief contractors at the start of works and be available for guidance throughout the proposed works. - A sign will be installed on the loft hatch or entry points of the main church to mark the roof void as out of bounds. It will state that a bat roost is present and disturbance is prohibited by law. If any of the above cannot be complied with, an ecologist shall be contacted for advice before works commence to discuss the requirements for a European

Protected Species Licence. A short statement of compliance shall be submitted to upon completion of works to discharge this condition.

Reason:

In order to safeguard protected and/or priority species from undue disturbance and impacts in accordance with Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

10. Prior to the completion of development, the following biodiversity enhancement measures shall be implemented: - 1x External Universal Nest Box (Avoiding southern elevations) - 1x Insect Box Evidence that these measures have been implemented should be submitted to the Local Planning Authority for approval within one month of completion of development.

Reason:

In order to achieve a net gain in biodiversity in accordance with Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

11. No stripping, demolition works or vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Voting

8 For

0 Against

4 Abstentions

The Chair declared the motion **CARRIED**.

421/23 - APPEALS PROGRESS REPORT

9.21 pm Councillor David Burton rejoined the meeting and took over as chair.

It was moved by Councillor Neil Buttle, seconded by Councillor Sue Burfoot and

RESOLVED (unanimously)

That the report be noted.

The Chair declared the motion **CARRIED**.

Meeting Closed: 9.25 pm

Chair