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## Planning Committee

**Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 24th January, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

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

Councillors: Jacqueline Allison, Sue Burfoot, Neil Buttle, Tom Donnelly, Richard FitzHerbert, Helen Froggatt, David Hughes, Stuart Lees, Peter O'Brien, Garry Purdy, Janet Rose and Peter Slack

Present as Substitute - Councillors: Mark Wakeman

Kerry France (Legal Services Manager), Chris Whitmore (Development Control Manager), Adam Maxwell (Principal Planning Officer), Joseph Baldwin (Senior Planning Officer), Tommy Shaw (Democratic Services Team Leader) and Angela Gratton (Democratic Services Officer)

Members of the Public – 26

### **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): Robert Archer and Graham Elliott

### **258/22 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

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

**RESOLVED** (unanimously)

That the minutes of the meeting of the Planning Committee held on 13 December 2023 be approved as a correct record.

The Chairman declared the motion **CARRIED**.

## **259/22 - INTERESTS**

Item 5.4 Application No 22/01113/FUL

Councillor Richard FitzHerbert declared a non-pecuniary interest in Item 5.4 Application No 22/01113/FUL - Conversion of Stables, The Old Mill House, Bradbourne.

## **260/22 - APPLICATION NO. 22/00731/LBALT**

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, Ms Sarah Whitehead (Local Resident) and Mr Barry Thomas 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 a further letter of representation in objection to the application.

It was moved by Councillor Peter O'Brien, seconded by Councillor Garry Purdy and

## **RESOLVED**

That planning permission be refused for the following reasons:

1. The amount of rooflights on the currently plain / blank rear roof slopes of the property would fail to preserve the special architectural interest and significance of this grade II listed building. The level of harm that would result from the proposals would be less than substantial harm to the significance of the designated heritage asset, however, this would not be outweighed by any public benefit. As such, the proposals are contrary to the National Planning Policy Framework - 2021 (Conserving and Enhancing the Historic Environment), National Planning Practice Guidance and the Historic England Advice Note 2 - Making Changes to Heritage Assets (2016).

## **Voting**

**12 For**

**02 Against**

**00 Abstention**

The Chairman declared the motion **CARRIED**.

## **261/22 - APPLICATION NO. 22/01082/OUT**

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, Ms Kathryn Stirling (Local Resident) and Mr Mark Young (Local Resident) spoke against the application. Cllr. Jason Farmer (Darley Dale Town Council) commented on 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 a further letter of representation in objection to the application.

It was moved by Councillor Garry Purdy, seconded by Councillor Helen Froggatt and

**RESOLVED** (unanimously)

That planning permission be refused for the following reasons:

1. The provision of 3 no. dwellinghouses on the site would be at odds with the prevailing character of development on the eastern side of Wheatley Road and result in significant harm to settlement pattern and the local landscape / defining characteristics of the countryside setting of Two Dales. The development would therefore be in direct conflict with policies S1, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017), policy NP16 of the Darley Dale Neighborhood Plan (2020) and the National Planning Policy Framework (2021).
2. The proposed development would be on land which forms part of the setting of the adjacent grade II listed building 'The Cottage' dating from 1704. The loss of part of this historic setting would be harmful to the authenticity of the surroundings to the listed building thereby causing less than substantial harm to its significance that would not be outweighed by the public benefits to be derived. The development would therefore conflict with Policy PD2 of the Adopted Derbyshire Dales Local Plan (2017) and the National Planning Policy Framework (2021).

The Chairman declared the motion **CARRIED**.

## **262/22 - APPLICATION NO. 22/01113/FUL**

At **6.44 pm** Councillor Richard FitzHerbert left the meeting during consideration of this application due to declaring a non-pecuniary interest in the application.

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 David Potter (Applicant) spoke in favour of the application.

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

It was moved by Councillor Janet Rose, seconded by Councillor David Hughes and

## RESOLVED

That planning permission be approved subject to the following conditions:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with Amended Drawing Nos. 7504-LAT-XX-XX-DP-A-1200-A1-P04, 7504-LAT-XX-XX-DP-A-1400-A1- P05, 7504-LAT-XX-00-DP-A-2200-A1-P04, 7504-LAT-XX-01-DP-A-2201-A1-P04, 7504- LAT-XX-XX-DE-A-3200-A1-P03,7504-LAT-XX-ZZ-DS-A-4200-A1-P03 received on 2nd December 2022 except insofar as required by other conditions to which this permission is attached. Page 2 of 6 22/01113/FUL
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no external alterations or additions shall be made to the holiday let hereby approved and no buildings, extensions, gates, fences or walls (other than those expressly authorised by this permission) shall be carried out within the curtilage of the building without the prior written approval of the Local Planning Authority upon an application submitted to it.
4. The holiday let hereby approved shall be used solely for the purposes of temporary holiday accommodation and shall not at any time be occupied as permanent residential accommodation. No person shall occupy the holiday accommodation for a continuous period of more than 28 days in any calendar year or more than a total of 8 weeks in a calendar year and it shall not be re-occupied by the same person/s within 28 days following the end of that period. The owner shall maintain a register of occupants for each calendar year which shall be made available for inspection by the Local Planning Authority upon request.
5. The measures to encourage sustainable travel, as set out in Supplementary Statement from Lathams dated 9th January 2023 shall be provided / made available to all users of the holiday let hereby approved. Where the measures to encourage sustainable travel cannot be provided an alternative scheme shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details throughout the lifetime of the development.

## Voting

**12 For**

**01 Against**

**00 Abstentions**

The Chairman declared the motion **CARRIED**.

**At 7.15 pm the meeting adjourned for 15 minutes.**

**At 7.30 pm the meeting reconvened.**

**263/22 - APPLICATION NO. 22/00910/FUL**

The Principal 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 5 of the report.

It was moved by Councillor Stuart Lees, 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**.

#### **264/22 - APPLICATION NO. 22/00799/FUL**

The Principal 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 Alex Job (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 a further representation received which raised significant health and safety concern on the delivery of the project if planning permission was approved.

It was moved by Councillor Tom Donnelly, seconded by Councillor Mark Wakeman and

**RESOLVED** (unanimously)

That planning permission be approved subject to the conditions set out in the report and the following additional condition:

1. No site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries received or dispatched from the site except between the hours of 8am-6pm Monday to Friday, 8am-1pm Saturday and at no time on Sundays, Bank or Public Holidays. Reason: In the interests of preserving local amenity in accordance with Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

The Chairman declared the motion **CARRIED**.

#### **265/22 - APPLICATION NO. 22/00529/FUL**

The Principal 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 Roger Yarwood (Agent) spoke in support of the application. Mr Jonathon Wood (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 comments received from a local resident who expressed concerns regarding the ground levels supplied in the application.

It was moved by Councillor Garry Purdy, seconded by Councillor Peter Slack and

## **RESOLVED**

That planning permission be approved subject to the conditions set out in the report with the following additional condition:

No site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries received or dispatched from the site except between the hours of 8am-6pm Monday to Friday, 8pm-1pm Saturday and at no time on Sundays, Bank or Public Holidays. Reason: In the interests of preserving local amenity in accordance with Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

## **Voting**

**13 For**

**00 Against**

**01 Abstentions**

The Chairman declared the motion **CARRIED**.

## **266/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8.20 pm** it was moved by Councillor Jason Atkin, seconded by Councillor David Hughes and

**RESOLVED** (Unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue for an additional 15 minutes to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

## **267/22 - APPLICATION NO. 22/01293/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 Edward Grove (Agent) spoke in support of the application. Mr Michael Tunnicliffe (Clerk to Longford Parish Council), Mr

Edward Lovatt (Local Resident) and Ms Mary Hall (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 a correction to the Officer's report – 'Longford Parish Council object to this planning application'.

It was moved by Councillor Mark Wakeman, seconded by Councillor Garry Purdy and

### **RESOLVED**

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

### **Voting**

**08 For**

**05 Against**

**01 Abstentions**

The Chairman declared the motion **CARRIED**.

### **268/22 - DURATION OF MEETING (MOTION TO CONTINUE)**

At **8.40 pm** it was moved by Councillor Jason Atkin, seconded by Councillor David Hughes and

**RESOLVED** (Unanimously)

That, in accordance with Rule of Procedure 13, the meeting continue for an additional 15 minutes to enable the business on the agenda to be concluded.

The Chairman declared the motion **CARRIED**.

### **269/22 - APPEALS PROGRESS REPORT**

It was moved by Councillor Jason Atkin, seconded by Councillor Stuart Lees and

**RESOLVED** (unanimously)

That the report be noted.

The Chairman declared the motion **CARRIED**.

**Meeting Closed: 8.47 pm**

**Chairman**

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