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## Planning Committee

**Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 11th July, 2023 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

**PRESENT** Councillor Peter O'Brien - In the Chair

Councillors: Robert Archer, John Bointon, Sue Burfoot, David Burton, Neil Buttle, Peter Dobbs, Nigel Norman Edwards-Walker, David Hughes, Stuart Lees, Dermot Murphy, Mark Wakeman and Nick Whitehead

Present as Substitute - Councillors: Kelda Boothroyd

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

Members of the Public – 27

### **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): Laura Mellstrom and Peter Slack

### **38/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING**

It was moved by Councillor Nick Whitehead, seconded by Councillor Robert Archer and

### **RESOLVED**

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

## **Voting**

**12 For**  
**00 Against**  
**02 Abstentions**

The Chair declared the motion **CARRIED**.

## **39/23 - INTERESTS**

There were no declarations of interest.

## **40/23 - APPLICATION NO. 21/00956/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, Mrs Carol Mosley (Local Resident) and Cllr. Ian Walker (Darley Dale Town Council) spoke against the application.

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

It was moved by Councillor David Burton, seconded by Councillor Robert Archer and

**RESOLVED** (unanimously)

That planning permission be refused for the reasons:

1. Insufficient information has been submitted to demonstrate that foul sewage and chemical waste from the development will be appropriately disposed of and that such measures are deliverable for this retrospective application to not result in pollution of the environment contrary to the requirements of Policies S1, S4, PD8 and PD9 of the Adopted Derbyshire Dales Local Plan (2017) and National Planning Practice Guidance.
2. The prominent siting of the development in an open field constitutes an unwarranted and harmful incursion in the countryside that does not respect the character and appearance of this part of the local landscape contrary to the requirements of policies S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) and the National Planning Policy Framework (2021).

The Chair declared the motion **CARRIED**.

## **41/23 - APPLICATION NO. 23/00508/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, Ms Claire Wright / Mr Adam Hodgson (Applicant) spoke in support of the application. Ms Hannah Shakespeare (Local Resident), Mr Mike Andrew (Local Resident) and Mr Jonathan Edwards (Local Resident) spoke against the application. Councillor Matt Buckler 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 comments received from the Derbyshire Wildlife Trust.

It was moved by Councillor Stuart Lees, seconded by Councillor Nick Whitehead and

**RESOLVED** (unanimously)

That authority be delegated to officers to issue a decision with the recommended conditions, and additional conditions relating to drainage (which will include the submission and approval of a final drainage scheme, that will follow the parameters of the drainage strategy designed for the site which considers an 1 in 100 rainfall event and 40% capacity for climate change and allow us to look at infiltration and outfall to a watercourse and independent verification of the system to ensure that it has been built and functions as designed), following consultation with the LLFA and confirmation that they do not object to the proposals or wish to comment in light of any recent flood events in the locality.

The Chair declared the motion **CARRIED**.

**7.55pm** – The Chair adjourned the meeting.

**8.08pm** – The meeting reconvened.

#### **42/23 - APPLICATION NO. 22/01389/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 Will Thompson (Applicant) 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 comments received from the Lead Local Flood Authority.

It was moved by Councillor David Burton, seconded by Councillor Mark Wakeman and

**RESOLVED**

That planning permission be approved, subject to the following conditions:

1. That authority be delegated to the Development Manager or Principal Planning Officer to grant planning permission following the resolution of land drainage matters

and completion of a S106 planning obligation to secure 30% provision of affordable homes on site, conditions recommended by consultees and conditions to secure appropriate materials, hard and soft landscaping and measures to help mitigate the effects of and adapt to climate change.

## **Voting**

**10 For**  
**04 Against**  
**00 Abstentions**

The Chair declared the motion **CARRIED**.

### **43/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)**

At 8.30pm, it was moved by Councillor Robert Archer, seconded by Councillor Mark Wakeman and

**RESOLVED** (Unanimously)

That in accordance with Rule of Procedure 13, the meeting continue for 30 minutes.

The Chair declared the motion **CARRIED**.

### **44/23 - APPLICATION NO. 22/01407/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 Stock (Agent) spoke in support of the application. Cllr. Sandra Spencer (Ashbourne Town Council) spoke against the application.

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

It was moved by Councillor David Hughes, seconded by Councillor Neil Buttle and

**RESOLVED**

That authority be delegated to the Development Manager or Principal Planning Officer to grant planning permission following the completion of a S106 planning obligation to secure 10 no. affordable homes on site (including 3 first homes) an off-site affordable housing contribution equivalent to 0.8 units (£36,371.20), a contribution of £6123.60 towards children's play equipment on the nearby play area, a £2127.60 contribution towards the provision of allotments within the District and a mechanism to secure biodiversity net gain for a period of at least 30 years, with the recommended conditions and the following additional conditions:

1. Prior to first occupation of a dwelling, a pedestrian footway shall be provided to the southwest of the site access connecting to existing footpath infrastructure, unless otherwise agreed in writing by the Planning Authority.

Reason:

To improve pedestrian access to services and facilities in accordance with the aims of Policies S1, S3 and HC19 of the Adopted Derbyshire Dales Local Plan.

2. Prior to first occupation of a dwelling, a scheme for improving cycling and walking opportunities through the site and details of any new connections shall be submitted to and approved in writing by the Local Planning Authority. Such connections shall thereafter be made within three months of the first occupation of a dwelling unless otherwise agreed in writing by the Local Planning Authority (2017).

Reason:

To enhance pedestrian and cycling connectivity in accordance with the aims of Policies S1, S3 and HC19 of the Adopted Derbyshire Local Plan (2017).

## **Voting**

**13 For**

**01 Against**

**00 Abstentions**

The Chair declared the motion **CARRIED**.

## **45/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)**

At 9.15pm, it was moved by Councillor Peter O'Brien, seconded by Councillor Peter Dobbs and

**RESOLVED** (Unanimously)

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

The Chair declared the motion **CARRIED**.

## **46/23 - APPLICATION NO. 22/00769/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, Ms Alexandra Palfreyman (Agent) spoke in support of the application. Ms Beverly Van de Griend (Local Resident), Ms Mari Maxfield (Local Resident) and Ms Ann Tobin (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 further three representations received from local residents.

It was moved by Councillor David Hughes seconded by Councillor Mark Wakeman and

**RESOLVED**

That planning permission be approved subject to the conditions set out in section 8 of the report.

**Voting**

**09 For**

**04 Against**

**01 Abstentions**

The Chair declared the motion **CARRIED**.

**47/23 - APPLICATION NO. 22/00770/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.

Consultation responses were set out in section 8 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of a correction to the report which should refer to 8<sup>th</sup> November 2022, as detailed in the planning application 22/00769/FUL.

It was moved by Councillor Robert Archer, seconded by Councillor David Hughes and

**RESOLVED**

That the listed building consent be granted subject to the conditions set out in section 8 of the report.

**Voting**

**11 For**

**01 Against**

**02 Abstentions**

The Chair declared the motion **CARRIED**.

**48/23 - APPEALS PROGRESS REPORT**

It was moved by Councillor David Burton, seconded by Councillor Stuart Lees and

**RESOLVED** (unanimously)

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That the report be noted.

The Chair declared the motion **CARRIED**.

**Meeting Closed: 9.55 pm**

**Chairman**