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PLANNING COMMITTEE

Minutes of a Planning Committee meeting held at 6.00pm on Tuesday 14th September 2021 at County Hall, Derbyshire County Council, Matlock DE4 3AG.

PRESENT

Councillor Jason Atkin - In the Chair

Councillors: Robert Archer, Sue Bull, Sue Burfoot, Neil Buttle, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Clare Gamble, Peter Slack, Andrew Statham and Colin Swindell.

Jon Bradbury (Development Manager), Sarah Arbon (Senior Planning Officer), Andrew Stock (Senior Planning Officer), Rob Cogings (Director of Housing), Kerry France (Principal Solicitor) and Simon Johnson (Democratic Services Officer).

Members of the Public - 13

APOLOGIES

Apologies for absence were received from Councillor Stuart Lees and Garry Purdy. The nominated substitutes were Councillors Helen Froggatt and Andrew Statham.

107/21 - INTERESTS

Item 5.3 – Application No. 20/01238/FUL

Councillor Richard FitzHerbert declared a personal interest in being a neighbour of the applicant. Councillor FitzHerbert was not present during the discussion of, or voting on this item.

108/21 - MINUTES

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

RESOLVED
(unanimously)

That the minutes of the Planning Committee meeting held on 10th August 2021 be approved as a correct record.

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.”

109/21 - APPLICATION NO. 21/00311/FUL (Presentation)

Solar Panels, housing for smart meter and erection of shed at 37A St John Street, Wirksworth.

The Senior Planning Officer Sarah Arbon, supported by the 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, Ms Angharad McLaren (Applicant) spoke in favour of the application.

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

It was moved by Councillor Peter Slack, seconded by Councillor Sue Burfoot and

RESOLVED That planning permission be approved for 9 panels on the lower roof as submitted in the amended plans, with the inclusion of the following conditions:

Conditions:

1. The solar panels are non-reflective, in accordance with the submitted details.
2. The development to be carried out in accordance with the amended plan showing 9 panels on the lower roof.
3. That the solar panels permission to remain on the roof be limited to a 30 year period from installation.

Voting:

For	11
Against	2
Abstention	0

The Chairman declared the motion **CARRIED**.

110/21 - APPLICATION NO. 21/00312/LBALT (Presentation)

Internal and external alterations to facilitate renewable energy equipment/infrastructure at 37A St John Street, Wirksworth.

The Development Manager reminded Members of the conditions approved in the associated application 21/00311/FUL.

In accordance with the procedure for public participation, Mr Geoffrey Litherland (Local Resident), Ms Laura Stevens (Dales Climate Hub) spoke in favour of the application.

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

It was moved by Councillor Colin Swindell, seconded by Councillor Neil Buttle and

RESOLVED That planning permission be approved as submitted and with the inclusion of the following conditions as approved for application 21/0311/FUL:

Conditions:

1. The solar panels are non-reflective, in accordance with the submitted details.
2. The development to be carried out in accordance with the amended plan showing 9 panels on the lower roof.
3. That the solar panels permission to remain on the roof be limited to a 30 year period from installation.

Voting:

For	12
Against	1
Abstention	0

The Chairman declared the motion **CARRIED**.

**111/21 - APPLICATION NO. 20/01238/FUL (Presentation and Site Visit)
Change of use from agricultural land to glamping site comprising of 8no. units of accommodation at Horsley House Farm, Bradbourne.**

The Senior Planning Officer Sarah Arbon, supported by the 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, Ms Lauren Brewer (Applicant) spoke in favour of the application.

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, seconded by Councillor Neil Buttle and

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

Voting:

For	7
Against	3
Abstention	2

The Chairman declared the motion **CARRIED**.

**112/21 - APPLICATION NO. 21/00456/FUL (Presentation and Site Visit)
Demolition of garage and associated buildings and erection 37no. affordable dwelling houses at Dove Service Station Garage, Mayfield Road, Ashbourne.**

The Senior Planning Officer Andrew Stock, 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 Houston (Local Resident, on behalf of the resident of 30 to 38 Mayfield Road) spoke against the application. Mrs Isabel Cogings (Nottingham Community Housing), Mr Jeremy Mason (DDDC Rural Housing Enabler) and Ms Jenny Bayes (Agent) spoke in favour of the application.

Further in line with the Council's procedure for direct public participation, late representations received from the public, in accordance with the criteria set out in the agenda, were published on the District Council website together with Officer responses and are set out below:

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

Following publication of the agenda and having reviewed the officer recommendation the applicants Legal Team have advised that officers clarify that the applicant is willing to enter into a S106 unilateral undertaking to secure the delivery and tenure of 37 no. affordable dwellings.

Officer Comments:

In light of the above comments, should members be minded to approve the application it is recommended that authority be delegated to the Development Manager to grant planning permission subject to conditions and the applicant entering into a S106 unilateral undertaking that secures the delivery and tenure of 6 no. 1 bedroomed (affordable rent), 18 no. two bedroomed (9 affordable rent and 9 shared ownership) and 13 no. three bedroomed (6 affordable rent and 8 shared ownership) affordable dwellings.

1. THE FOLLOWING CONSULTATION COMMENTS HAVE BEEN RECEIVED FROM THE ENVIRONMENT AGENCY:

Thank you for consulting us on the above application. We have reviewed the applicants' response and drawings submitted in support of overcoming the issues detailed in our previous response dated 11 August 2021, and can confirm that we are now able to remove our objection subject to conditions and advisory notes, which can be viewed on the Councils website.

Officer Comments:

In light of the above comments, and the updated Flood Risk Assessment submitted to the Local Planning Authority should members be minded to approve the application it is recommended that the Conditions and Advisory Notes set out in the Environment Agency's consultation response and a condition which removes permitted development rights from Plots 18, 19, 20, 21, 22, 23 and 24 should be included in any decision notice.

2. THE FOLLOWING COMMENTS FROM HILLARY CHETWYN, RESIDENT OF MAYFIELD ROAD HAVE BEEN RECEIVED:

I wish to object to the planning application for 37 affordable homes by Mypad 2020, on the Dove Garage land on Mayfield Road, Ashbourne, Derbyshire. As a resident on the said road, I believe that the amount of new houses will be the cause of even more traffic congestion and even greater parking problems. At the rear of Mayfield Road there is a small parking area which, if lucky, you can get a parking space. If not you have no option but to park on Mayfield Road where your car is at risk from being damaged by the large, continual amount of traffic. As the plans state there will be 57 parking spaces, this is still not enough for 2 car families, resulting in them having to park on the roadside. The parking problem extends all the way down Mayfield Road and towards the church and school, at all times, with cars parking on the pavements making it difficult for pedestrians.

As well as the obvious parking issues there is also the situation with catering for more pupils, with QEGS at full capacity now. The other issue is the flood plain with the site backing onto Henmore Brook. Ashbourne Town Council have apposed the plan saying `it underestimates the off-street parking. I think the planning committee should really consider how the building of so many houses is going to impact on not only the residents of Mayfield Road, but also the general flow of the traffic if more cars are trying to park on the roadside.

Officer Comments:

Officers advise that the comments be noted and considered.

3. THE FOLLOWING COMMENTS FROM SHARON SMYTHE, RESIDENT OF MAYFIELD ROAD HAVE BEEN RECEIVED:

Dears sirs, I write to object to the building of these homes. The basis of my objections are as follows: The site is on a flood plain, Insufficient parking has been allowed on the site, given the number of homes, The housing would increase the traffic on an already busy road, The extra traffic poses a risk to the school, The housing would impact on the existing residents, noise and extra traffic, The local school on Mayfield Road has no spaces for more pupils and no space to expand further, The secondary school in the town is full and The loss of a local amenity would be detrimental to the town as a whole.

Officer Comments:

Officers advise that the comments be noted and considered.

4. THE FOLLOWING COMMENTS FROM SHARON SMYTHE, RESIDENT OF MAYFIELD ROAD HAVE BEEN RECEIVED:

I am unable to make representation at the Planning Committee meeting to debate the planning issues. I am happy for my comments to be shared by my neighbour and spokesperson who will be attending. I had written to oppose the boundary wall query on the original plans but I am happy to support the revised plans with the boundary wall moving further back as shown on the plans on the Council's website.

Officer Comments:

Officers advise that the comments be noted and considered.

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

RESOLVED On submission of a satisfactory unilateral undertaking, delegated authority be given to the Development Manager to grant planning permission subject to the conditions set out in the report.

Voting:

For	11
Against	0
Abstention	2

The Chairman declared the motion **CARRIED**.

There followed a short adjournment at **7:42pm**, returning at **7:55pm**.

**113/21 - APPLICATION NO. 20/00644/FUL (Presentation and Site Visit)
Erection of 2no. detached dwelling houses and 1no. detached bungalow on the Land at Eaton Farmhouse, Main Road, Hulland Ward, Derbyshire.**

The Senior Planning Officer Andrew Stock 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, seconded by Councillor Richard FitzHerbert and

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

**114/21 - APPLICATION NO. 21/00151/FUL (Presentation)
Retention of roof mounted solar panels at 13A Church Street, Ashbourne.**

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 Robert Archer, seconded by Councillor Tom Donnelly and

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

Voting:

For	11
Against	0

Abstention 2

The Chairman declared the motion **CARRIED**.

**115/21 - APPLICATION NO. 21/00152/LBALT (Presentation)
Retention of roof mounted solar panels at 13A Church Street, Ashbourne.**

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 Colin Swindell, seconded by Councillor Tom Donnelly and

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

Voting:

For	12
Against	0
Abstention	1

The Chairman declared the motion **CARRIED**.

**116/21 - APPLICATION NO. 21/00500/FUL
Proposed extension of C-Bays building to accommodate relocated equipment
(modifications to extension previously approved under planning permission
18/00919/FUL) at Darley Dale Smelter, Oldfield Lane, Warren Carr.**

This application was withdrawn.

**117/21 - APPLICATION NO. 21/00722/FUL (Presentation and Site Visit)
Creation of vehicular access and parking area with turntable at Tagg Hill Cottage, 43
Church Street, Matlock.**

The 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, Dr Anne Phillips (Applicant) spoke in favour of the application.

Further in line with the Council's procedure for direct public participation, late representations received from the public, in accordance with the criteria set out in the agenda, were published on the District Council website together with Officer responses and are set out below:

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

An additional response has been received from the Local Highway Authority, which can be summarised as follows:

I do not consider that the amended plan has overcome the previous objections. The access remains at an acute angle with substandard visibility and relies on the use of a turntable for manoeuvring.

Can the access only being entered and exited in an uphill direction be enforced? And the use of a turntable in terms of future maintenance?

A mirror is not acceptable to the Highway Authority, as they create their own safety implications and are therefore not permitted to be used to overcome substandard features.

The plans showing the visibility sightlines are not dimensioned and it is not clear on this plan what distance from the edge of carriageway the sightlines have been measured from or what distance is achievable. Additionally, the sightlines need to be measured tangentially and to a point no greater than 1m into the carriageway from the nearside carriageway edge.

It was moved by Councillor Neil Buttle, seconded by Councillor Richard FitzHerbert and

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

Voting:

For	12
Against	0
Abstention	1

The Chairman declared the motion **CARRIED**.

118/21 - APPLICATION NO. 21/00711/VCOND

Variation of Condition 2 (approved plans) of planning permission 17/00850/FUL to allow for the substitution of house types on the Land off Whitelea Lane, Tansley.

This application was withdrawn.

119/21 - 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.

Voting:

For	12
Against	0
Abstention	1

The Chairman declared the motion **CARRIED**.

120/21 - APPEALS PROGRESS REPORT

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

RESOLVED That the report be noted.

Voting:

For	12
Against	0
Abstention	1

The Chairman declared the motion **CARRIED**.

MEETING CLOSED 8:27PM

CHAIRMAN