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PLANNING COMMITTEE

Minutes of a Meeting held on 12 December 2017 at 6.00pm at Council Chamber, Town Hall, Matlock.

PRESENT

Councillor Garry Purdy - In the Chair

Councillors Jason Atkin, Sue Bull, Sue Burfoot, Albert Catt, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Jean Monks, Tony Morley, Peter Slack, Andrew Statham and Joanne Wild.

Jon Bradbury (Development Manager), Helen Frith (Senior Planning Officer), Katie Hamill (Solicitor), Chris Whitmore (Area Planning Officer) and Jackie Cullen (Committee Assistant).

Councillor Mike Ratcliffe attended as Ward Member and Councillor Dermot Murphy attended as an observer.

38 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Tom Donnelly, Tony Millward BEM and Lewis Rose OBE. Councillors Helen Froggatt, Jean Monks and Andrew Statham attended as Substitute Members.

248/17 – MINUTES

It was moved by Councillor Garry Purdy, seconded by Councillor Sue Bull and

RESOLVED

(unanimously)

That the minutes of the Planning Committee meeting held on 7 November 2017 be approved as a correct record.

The Minutes were signed by the Chairman.

249/17 – APPLICATION NO. 17/00865/FUL – RETENTION OF STREET LIGHTING LAMPS ERECTED AROUND THE TEMPORARY CARE SUIT AND INSTALLATION OF ANTI-GLARE SHIELDS TO THE LAMPS AT ST ELPHIN'S PARK, DALE ROAD SOUTH, DARLEY DALE

The Committee visited the site prior to the meeting to allow Members to appreciate the site and context.

In accordance with the procedure for public participation, Mr Stephen Chrystal (local resident) spoke against the application.

It was moved by Councillor Albert Catt, seconded by Councillor Jean Monks and

RESOLVED That planning permission be granted subject to the Conditions set out in
(Unanimously) the report.

250/17 - APPLICATION NO. 17/00866/FUL – ERECTION OF FOUR RESIDENTIAL CARE APARTMENTS AT ST ELPHIN’S PARK, DALE ROAD SOUTH, DARLEY DALE

This item was withdrawn prior to the meeting.

251/17 – APPLICATION NO. 17/00995/OUT – ERECTION OF DWELLING (OUTLINE) AT NORTH PARK FARM, WHITWORTH ROAD, DARLEY DALE

The Committee visited the site prior to the meeting to allow Members to appreciate the site and context, and highway safety and visual impacts.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised comments received from a local resident in connection with highway matters together with a response from the Local Highway Authority; and comments from another local resident regarding traffic.

In accordance with the procedure for public participation, Mr Barry Mellor (local resident) spoke against the application and Mr Roger Yarwood (Agent) spoke in favour of the application.

It was moved by Councillor Joanne Wild, seconded by Councillor Peter Slack and

RESOLVED That authority be delegated to the Development Manager to grant
(Unanimously) planning permission subject to the conditions set out in the report and any conditions as recommended by Derbyshire Wildlife Trust in regard to the presence of badgers, and any appropriate mitigation.

252/17 – APPLICATION NO. 17/01000/FUL – SUBDIVISION OF SHOP TO CREATE A SHOP UNIT AND A CAFE/RESTAURANT UNIT AND REPLACEMENT SHOP FRONTS (RETROSPECTIVE) AT 66 DALE ROAD, MATLOCK

The Committee visited the site prior to the meeting to allow Members to assess the amenity impacts of the proposal.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised comments received from a local resident regarding anti-social behaviour.

In accordance with the procedure for public participation, Mr Roman Jivkov (local resident) spoke against the application and Mr Ross King (Applicant) spoke in favour of the application.

It was moved by Councillor Jason Atkin, seconded by Councillor Albert Catt and

RESOLVED The planning permission be granted subject to the Conditions set out in the report.

Voting:

In Favour	11
Against	2
Abstentions	0

The Chairman declared the motion carried.

253/17 – APPLICATION NO. 17/00969/FUL – CHANGE OF USE FROM A1 (RETAIL) TO A3/A4 (CAFÉ/BAR) AT 68 DALE ROAD, MATLOCK

The Committee visited the site prior to the meeting to allow Members to assess the amenity impacts of the proposal.

Correspondence received after publication of the Agenda regarding Application No. 17/01000/FUL above also related to this Application.

In accordance with the procedure for public participation, Mr Roman Jivkov, Mr Aaron Himsworth and Mr Steve Hampson (local residents) spoke against the application, Mrs Helen Greatorex (local resident) commented on the application and Mr Gareth Clark (Applicant) spoke in favour of the application.

It was moved by Councillor Albert Catt, seconded by Councillor Tony Morley and

RESOLVED The planning permission be granted subject to the Conditions set out in the report.

Voting:

In Favour	10
Against	3
Abstentions	0

The Chairman declared the motion carried.

254/17 – APPLICATION NO. 17/00916/FUL – RECONFIGURATION OF UPPER FLOORS TO CREATE 5 LETTING ROOMS AND MANAGER’S FLAT AND SINGLE STOREY EXTENSION AT KINGS HEAD PUBLIC HOUSE, 62 YEOMAN STREET, BONSALE

The Committee visited the site prior to the meeting to allow Members to assess the impact on highway safety and parking.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised a summary of four further representations received from local residents, together with a response from the landlady with regard to one point raised about parking at Penny Cottage.

In accordance with the procedure for public participation Mr Steven Smith (local resident) spoke in favour of the application; Messrs Leigh Johnson (representing local residents) and Mr Jacob Johnson (local resident) spoke against the application; Mr Charles Smith (Licensee of Kings Head) and Ms Trudi Hall (Applicant) spoke in favour of the application.

It was moved by Councillor Joanne Wild, seconded by Councillor Jean Monks and

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

255/17 – APPLICATION NO. 17/00917/LBALT – INTERNAL AND EXTERNAL ALTERATIONS AT KINGS HEAD PUBLIC HOUSE, 62 YEOMAN STREET, BONSALE

Correspondence received after publication of the Agenda regarding Application No. 17/00916/FUL above also related to this Application.

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

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

256/17 – APPLICATION NO. 17/01033/FUL – CHANGE OF USE AND CONVERSION OF BARN TO DWELLING HOUSE AND ASSOCIATED EXTENSION AT BARN, THE PRINGLE, SUMMER LANE, WIRKSWORTH

The Committee visited the site prior to the meeting to allow Members to appreciate the site and context.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised comments received from Wirksworth Town Council regarding a restriction on residence, together with a response proposing a further condition, as follows:

Condition:

The dwelling hereby approved shall only be occupied as a principle residence and shall not be used as a second home or for holiday accommodation.

Reason:

To ensure the property is used as a primary dwelling to protect local housing stock to comply with the requirements of Policy NP5 of the Wirksworth Neighbourhood Plan.

Furthermore, to ensure the building was capable of conversion it was considered reasonable to amend Condition 14 as follows:

Condition 14:

Prior to the commencement of development a full structural survey of the building to include means of securing the building through the conversion process and a method statement for the conversion of the building itself shall be submitted to and agreed in writing by the local planning authority. Works shall be completed in accordance with the agreed details.

Reason:

To ensure the works relate to conversion of the building only and to clarify that this permission does not allow for the rebuilding of the barn in accordance with Policy HC8 of the **adopted** local plan and guidance contained within the National Planning Policy Framework.

In accordance with the procedure for public participation, Dr Lesley Hyde, Ms Sally Howard and Mr Jak Lemon (local residents) spoke against the application, Cllr Mike Ratcliffe commented on the application as Ward Member and Mr Roger Yarwood (Agent) spoke in favour of the application.

It was moved by Councillor Jean Monks, seconded by Councillor Richard FitzHerbert and

RESOLVED That planning permission be granted subject to the Conditions set out in the report, including the additional condition, and amended Condition 14, as set out below:

Additional Condition:

The dwelling hereby approved shall only be occupied as a principle residence and shall not be used as a second home or for holiday accommodation.

Condition 14:

Prior to the commencement of development a full structural survey of the building to include means of securing the building through the conversion process and a method statement for the conversion of the building itself shall be submitted to and agreed in writing by the local planning authority. Works shall be completed in accordance with the agreed details.

Voting:

In favour	12
Against	1
Abstentions	0

257/17 – MOTION TO CONTINUE

It was moved by Councillor Joanne Wild, seconded by Councillor Jason Atkin and

RESOLVED That, in accordance with Rule of Procedure 13, the meeting continue (unanimously) beyond 2 ½ hours to enable the business on the agenda to be concluded.

258/17 - APPLICATION NO. 17/00489/FUL – ERECTION OF TEMPORARY AGRICULTURAL WORKERS' DWELLING AND AGRICULTURAL STORAGE BUILDING AT LAND EAST OF TURLOWFIELDS LANE, HOGNASTON

The Committee visited the site prior to the meeting to allow Members to assess the impact of the development on the local environment.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised a request via the Applicant's Agent for an extension of the permission to 3 years and 3 months, and the Officer's response thereto.

In accordance with the procedure for public participation, Mr Chris Stait and Mr Josh Swindell (local residents) spoke against the application.

It was moved by Councillor Albert Catt, seconded by Councillor Sue Bull and

RESOLVED That this Application be deferred for the following reason:
(unanimously)

Reason:

To enable Officers to obtain more information from the Applicant, including:

1. The Applicant's proposals to prevent the transmission of disease from the rabbit farm to the adjacent farms and livestock;
2. The Applicant's intentions with regard to securing power and water infrastructure on site;
3. The Applicant's proposals for the management of the site in terms of stocking, cleaning, pest and predator control, ventilation measures and waste disposal;
4. Full details of the different business and activities proposed for the site.

259/17 – APPLICATION NO. 17/00902/VCOND – VARIATION OF CONDITION 8 OF PLANNING APPLICATION 16/00933/VCOND TO VARY OPENING HOURS TO 06:00 TO 00:00 MONDAY TO SATURDAY AND SUNDAY 07:00 TO 23:00 AT McDONALD'S, 43 BAKEWELL ROAD, MATLOCK

Councillor Richard FitzHerbert left the meeting at 8.57pm prior to discussion of this item.

It was noted that planning permission was originally granted with the following condition:

10. *The hours of operation of the takeaway/restaurant premises shall be restricted to the following hours: Monday to Saturday - 06:00 to 24:00hrs, Sunday 07:00 to 23:00hrs. Goods deliveries shall be restricted to between the hours 07:00 and 20:00hrs daily.*

Thereafter, further applications had been submitted for variations of conditions and amendments to the scheme. However, in granting these latter permissions, the condition in the Officer's report on 14/00249/FUL was copied across into those decisions in error, rather than the one above which was on the original decision notice; this was never challenged by the applicants.

As such, whilst the current conditions on the latter permissions restricted the opening hours to 23.00 hrs, this was due to an administration error rather than a true reflection on what had been granted by the Planning Committee for the site.

Two letters of representation had been received immediately prior to the meeting.

It was moved by Councillor Jason Atkin, seconded by Councillor Jean Monks and

RESOLVED That a variation of Condition 8 be granted subject to the Conditions set out in the report.

Voting:

In Favour	11
Against	1
Abstentions	0

The Chairman declared the motion carried.

260/17- INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

It was moved by Councillor Garry Purdy, seconded by Councillor Albert Catt and

RESOLVED That the report be noted.
(unanimously)

261/17 - APPEALS PROGRESS REPORT

It was moved by Councillor Garry Purdy, seconded by Councillor Jean Monks and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 9.06PM

CHAIRMAN