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## **PLANNING COMMITTEE**

**Minutes of a Meeting held on Tuesday 13 December 2016 at 6.00pm at Council Chamber, Town Hall, Matlock.**

### **PRESENT**

Councillor Garry Purdy - In the Chair

Councillors Jason Atkin, Sue Burfoot, Albert Catt, Tom Donnelly, Graham Elliott, Helen Froggatt, Neil Horton, Jean Monks, Mike Ratcliffe, Peter Slack, Andrew Statham and Joanne Wild.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Gareth Griffiths (Senior Planning Officer), Helen Frith (Senior Planning Officer), Katie Hamill (Solicitor) and Jackie Cullen (Committee Assistant).

31 members of the public.

### **APOLOGIES**

Apologies for absence were received from Councillors Sue Bull, Richard FitzHerbert, Chris Furness, Tony Millward BEM, Tony Morley and Lewis Rose OBE. Councillors Helen Froggatt and Andrew Statham attended as Substitute Members.

### **296/16 – MINUTES**

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

**RESOLVED** That the minutes of the Planning Committee meeting held on 15  
(unanimously) November 2016 be approved as a correct record.

The Minutes were signed by the Chairman.

### **297/16 – APPLICATION NO. 16/00704/OUT – OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS AT LAND WEST OF MILLERS GREEN, 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 a further letter of representation from Wirksworth and Middleton Cricket Club.

In accordance with the procedure for public participation, Ms Madeleine Sweeting (Millers Green Action Group and Environmental Scientist), Mr Andrew McKay (local resident) and Mr Paul Whitehead (local resident) spoke against the application.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Jean Monks and

**RESOLVED** That planning permission be refused for the reason set out in the report. (unanimously)

**298/16 – APPLICATION NO. 16/00636/FUL – CREATION OF A NEW DRIVEWAY AT 14 VALE RISE, MATLOCK**

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 James Beeston (Applicant) spoke in favour of the application.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised a summary of an email received in support of the application, and the Applicant's response to the Committee Report.

It was moved by Councillor Andrew Statham, seconded by Councillor Mike Ratcliffe and

**RESOLVED** That planning permission be granted, subject to appropriate conditions to be set by the Development Manager, including a condition relating to the retention of the existing hedge at a height of not less than 1.6metres.

Reason:

**Voting:** The benefits of providing off-road parking would outweigh any harm to public amenity.

|                    |   |
|--------------------|---|
| <b>For</b>         | 9 |
| <b>Against</b>     | 4 |
| <b>Abstentions</b> | 0 |

The Chairman declared the motion carried.

**299/16 – APPLICATION NO. 16/00598/FUL – ERECTION OF REPLACEMENT DWELLING AND GARAGE AND RETENTION OF EXISTING DWELLING AS ANCILLARY ACCOMMODATION AT PINETREES, UPPER LUMSDALE, MATLOCK**

This item was deferred by Members at the October Planning Committee meeting to allow a site visit to appreciate the impact upon the character and appearance of the conservation area.

In accordance with the procedure for public participation, Mr Bill Anderson (Arboriculturalist) made a statement on the application, primarily regarding the sycamore trees; Mrs Jane Taylor (neighbour and Secretary of the Arkwright Society Lumsdale Advisory Group) read a letter from the Chair of the Advisory Group and spoke in favour of the application; Ms Doreen Holden (local resident) and Mr Piper (neighbour) spoke in favour of the application, and Mr Ray Vaughan (Agent) gave some historical background of the site and spoke in favour of the application.

It was moved by Councillor Sue Burfoot, seconded by Councillor Mike Ratcliffe and

**RESOLVED**

That planning permission be granted on completion of a legal agreement to rescind the earlier permission and the use of the Counting House as an independent dwelling subject to appropriate conditions to be set by the Development Manager for the following reason:

Reason:

The proposed dwelling would be an improvement to the previously approved scheme and would not harm the character and appearance of the Conservation Area by being located away from the Lumsdale ponds which are considered to be of particular importance within the Conservation Area. The removal of the Sycamore trees along the western boundary would enhance the Conservation Area by removing the non-native tree species and opening up the vista across the site.

**Voting:**

|                    |    |
|--------------------|----|
| <b>For</b>         | 10 |
| <b>Against</b>     | 3  |
| <b>Abstentions</b> | 0  |

The Chairman declared the motion carried.

**300/16 – APPLICATION NO. 16/00397/FUL – RESIDENTIAL DEVELOPMENT OF 49 DWELLINGS WITH ASSOCIATED GARAGES AND INFRASTRUCTURE AT LAND AT TANSLEY HOUSE GARDENS, TANSLEY**

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, Mrs Vicki Raynes (Tansley Parish Council), Mr Ian Strange (local resident), Mrs Diana Dakin (local resident), Ms Ruth Cooper and Mr Ian Spencer (neighbours) spoke against the application; Mr Mike Foster (Agent) spoke in favour of the application.

Correspondence received after publication of the Agenda was distributed at the meeting. This comprised a note regarding an error in the recommendation wording, which should read 'grant full planning permission' and not 'outline'; clarification regarding the first page of the report which should show the Applicant information as Y Bar Ltd; and the comments of the Conservation Advisory Forum (from the August meeting) which had not been included in the Officer report. Also included were the Officer's response and the response

received from Tansley Parish Council. A letter from a local resident setting out concerns had also been received.

In response to concerns regarding flooding, the Senior Planning Officer clarified that Derbyshire County Council (as statutory consultee) had raised no concerns in principle to the issue of land drainage. However, they had recommended that conditions be attached regarding this (subject to approval), and had requested more technical data. It was also confirmed that with regard to the maintenance of the land drainage system, a management scheme would be set up in perpetuity.

It was moved by Councillor Peter Slack, seconded by Councillor Albert Catt and

**RESOLVED** That authority be delegated to the Development Manager to grant outline planning permission subject to the completion of a Section 106 Planning Obligation Agreement to secure affordable units on-site and off-site to make up provision to the equivalent of 45%, the contribution towards primary school places of £113,990.10, long term mitigation and management of the grassland and subject to conditions covering the matters listed in the report.

**Voting:**

|                    |    |
|--------------------|----|
| <b>For</b>         | 10 |
| <b>Against</b>     | 3  |
| <b>Abstentions</b> | 0  |

The Chairman declared the motion carried.

**301/16 – APPLICATION NO. 16/00362/FUL – PROPOSED REAR FLAT ROOF/TERRACE, PATIO DOORS AND 4 NO. ROOFLIGHTS TO REAR ELEVATION AT 12 MARKET PLACE, CROMFORD**

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

In accordance with the procedure for public participation Mr Darren Archer (Agent) spoke in favour of the application.

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised a summary of correspondence received from a neighbour in support of the application.

In response to concerns regarding access to a fire escape and fire regulations, the Development Manager advised that these issues should be investigated and recommended that the applicant sought advice from the fire service.

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

**RESOLVED** That planning permission be refused for the reason set out in the report.  
(unanimously)

**302/16 – MOTION TO CONTINUE**

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

**303/16 – APPLICATION NO. 16/00526/FUL – CHANGE OF USE OF AGRICULTURAL BUILDINGS TO CLASS B (STORAGE AND DISTRIBUTION) AND EXTERNAL ALTERATIONS AT BIRCH HOUSE FARM, DERBY LANE, EDNASTON**

In accordance with the procedure for public participation, Mr David Harris Watkins (Agent) spoke in favour of the application.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Peter Slack and

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

**304/16 – APPLICATION NO. 16/00649/ADV – ERECTION OF SIGN AT MATLOCK CRICKET CLUB, CAUSEWAY LANE, MATLOCK**

In accordance with the procedure for public participation, Mr Steve Haslam (Cricket Club Member) and Mr Ray Mullaney (Agent) spoke in favour of the application.

It was moved by Councillor Joanne Wild, seconded by Councillor Sue Burfoot and

**RESOLVED** That planning permission be granted to erect the sign for the  
(unanimously) following reason:

Reason:

That the design is appropriate in terms of style and dimensions and as such is not harmful to the character and appearance of the area.

**305/16 – APPLICATION NO. 16/00775/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 41 DWELLINGS AND ACCESS (OUTLINE) AT STANCLIFFE HALL, WHITWORTH ROAD, DARLEY DALE**

In accordance with the procedure for public participation, Mr Dean Mann (Agent) spoke in favour of the application.

It was moved by Councillor Jason Atkin, seconded by Councillor Peter Slack and

**RESOLVED** That planning permission be refused for the reasons set out in the  
(unanimously) report.

**306/16 - INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS**

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

**RESOLVED** That the report be noted.  
(unanimously)

**307/16 - APPEALS PROGRESS REPORT**

**The Development Manager advised the Committee that the appeal regarding item reference 14/00224/FUL (North of Viaton Industries Ltd, Manystones Lane, Brassington) had been dismissed.**

It was moved by Councillor Garry Purdy, seconded by Councillor Tom Donnelly and

**RESOLVED** That the report be noted.  
(unanimously)

**MEETING CLOSED 9.12PM**

**CHAIRMAN**