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PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 12 April 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, Ann Elliott, Graham Elliott, Richard FitzHerbert, Tony Millward, BEM, Tony Morley, Mike Ratcliffe, Lewis Rose, OBE, 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), Chris Whitmore (Area Planning Officer), Jim Fearn (Communications and Marketing Manager) and Jackie Cullen (Committee Assistant).

47 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Sue Bull and Helen Froggatt. Councillor Ann Elliott attended as Substitute Member.

382/15 – MINUTES

It was moved by Councillors Garry Purdy, seconded by Councillor Tony Millward, BEM, and

RESOLVED
(unanimously)

That the minutes of the Planning Committee held on 15 March 2016 be approved as a correct record.

The Minutes were signed by the Chairman.

383/15 – INTERESTS

Councillor Andrew Statham declared a pecuniary interest in Item 4.1 – Application 15/00814/OUT – as he was the Applicant.

Councillor Richard FitzHerbert declared an interest in Item 4.4 – Application 16/00041/OUT – as he was a personal friend of the Applicant.

Councillors Statham and FitzHerbert were not present during discussion of and voting on their respective items.

384/15 – APPLICATION 15/00814/OUT - RESIDENTIAL DEVELOPMENT OF UP TO 57 DWELLINGS (OUTLINE) AT LAND ADJACENT TO BAKEWELL ROAD, MATLOCK

Members had carried out a site visit at the 16 February 2016 meeting. At this same meeting Members resolved to grant outline planning permission contrary to the Officer recommendation, for a residential development of up to 57 dwellings.

The minute of the Committee meeting of 16 February was recorded in the report. Members were reminded that at the time, this development was promoted by the applicant's agent as 'specialised housing' and it was understood that meeting the identified need for specialist dwellings for disabled and elderly persons had weighed heavily with the Committee in resolving to grant outline planning permission. However, in doing so, Members delegated authority to 'the Local Planning Authority' and did not provide any clarity on the scope of conditions to be imposed in order to secure the type of 'specialised housing' so promoted.

In light of the above, Officers considered it appropriate to stay the decision pending clarification from the Committee by way of guidance as to the parameters of the conditions and s.106 agreement to be negotiated in order to ensure that the dwellings to be constructed would remain available in the long term as part of the housing supply to meet the objectively assessed need.

The Committee were asked to:

1. Frame the parameters for the conditions to be attached to the planning permission and/or to be sought for agreement by way of a section 106 obligation having regard to matters such as the number of homes to be constructed to accessible and wheelchair user standards; the type of properties to be provided, including the provision of affordable housing; and the nature and scope of any occupancy restrictions that Members may wish to impose to ensure that these dwellings would remain available in the long term to meet the objectively assessed need.
2. Clarify to whom the authority to negotiate was to be delegated and whether or not the Committee wished to finally approve the same before the formal grant of planning permission.

The Planning Committee was not able to reconsider the decision in principle, only the matter of conditions to be imposed and or s.106 agreement to be negotiated.

In accordance with the procedure for public participation, Mr Jonathan Jenkin, Agent, spoke in favour of the application.

Correspondence received after publication of the Agenda was circulated at the meeting. This comprised a letter from the Applicant's Agent setting out conditions they considered appropriate.

In order for the Development Manager and the Head of Corporate Services to finalise the proposed conditions the Chairman suspended debate. Following their return to the meeting, it was moved by Councillor Lewis Rose, OBE, seconded by Councillor Albert Catt and

- RESOLVED**
1. That planning permission is approved for the development of up to 57 dwellings subject to the applicant entering into a s.106 Agreement to secure:
 - 30% on-site affordable homes
 - Affordable homes to be built as bungalows and managed by a Registered Social Landlord with all affordable homes built to M4(3) standard
 - Occupancy restrictions to apply to a further 20% of the dwellings built to M4(3) standard limiting occupation to registered disabled persons only
 - Funding for the provision of a pedestrian crossing on the A6
 - Mixture on site to achieve 50% dwellings to M4(2) standard and 50% to M4(3) standard

 2. That the Development Manager be delegated authority to impose conditions in consultation with the Applicant's Agent to:
 - Achieve the provision of a pavement on the south side of the A6
 - Restrict development to the Eastern part of the site to retain an area of wetland and retain an open aspect in accordance with the illustrative masterplan
 - Other general conditions deemed necessary in consultation and those in response to the concerns of the statutory consultees

Voting:

For	13
Against	0
Abstentions	1

The Chairman declared the motion carried.

385/15 – APPLICATION 16/00054/FUL – ERECTION OF REPLACEMENT DWELLING AND ANNEX AT GOODACRES FARM, FURLONG LANE, HOGNASTON

Members visited the site prior to the meeting to enable them to assess the impact of the development on the local landscape, amenity of the occupants of nearby dwellings and to consider whether the replacement would be a more satisfactory alternative to renovation and/or repair of the existing dwelling in this case

Correspondence received after publication of the Agenda was distributed at the meeting; this comprised comments from Atlow Parish Council in support of the application.

In accordance with the procedure for public participation, Mrs Suzanna Monteith, Atlow Parish Council, and Mr John Imber, Agent, spoke in favour of the application.

It was moved by Councillor Joanne Wild, seconded by Councillor Tony Millward, BEM, and

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

386/15 – APPLICATION 16/00088/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 8 DWELLINGS AND VILLAGE SHOP (OUTLINE) AT WEST END, BRASSINGTON

The Committee visited the site prior to the meeting to enable members to fully appreciate the impact of the development on the local landscape and setting of Brassington Conservation Area.

Correspondence received after publication of the Agenda was distributed at the meeting. This comprised comments from Brassington Parish Council and a letter from the Applicant's Agent.

It was moved by Councillor Peter Slack, seconded by Councillor Tony Millward, BEM, and

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

387/15 – APPLICATION 16/00041/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 60 DWELLINGS (OUTLINE) AT LAND OFF OLD ROAD, DARLEY DALE

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

In accordance with the procedure for public participation, Mr Richard Piggott, Agent, spoke in favour of the application.

Correspondence received after publication of the Agenda was distributed at the meeting. This comprised a letter received from a local resident; a letter from Campaign to Protect Rural England; and a summary of an item of correspondence from the Applicant's Agent that had been sent directly to Members. In light of this, the Senior Planning Officer had removed the second reason for refusal from the Officer's Recommendation.

It was moved by Councillor Albert Catt, seconded by Councillor Mike Ratcliffe and

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

388/15 – APPLICATION 16/00038/FUL – EXTENSION AND ALTERATION TO 277 STARKHOLMES ROAD, STARKHOLMES, MATLOCK

Councillor Graham Elliott left the meeting at 7.52pm prior to discussion of this item.

The Committee visited the site prior to the meeting to enable Members to appreciate the impact of development on neighbouring properties.

In accordance with the procedure for public participation Mr Adrian Noble, resident, spoke against the application.

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

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

389/15 – APPLICATION 16/00018/FUL – ERECTION OF DETACHED DEPENDENT RELATIVE UNIT AT 52 CAVENDISH ROAD, MATLOCK

The Committee visited the site prior to the meeting to enable Members to appreciate the visual impact of the scheme and the impact upon neighbouring residents

In accordance with the procedure for public participation, Mr David Elsworth, Matlock Town Council, commented on the application, and Mr Harry Buttle, Applicant, spoke in favour of the application.

Correspondence received after publication of the Agenda was distributed at the meeting. This comprised a summary of a letter received from a local resident and Town Councillor.

In light of the Applicant's verbal comments on Condition 10 of the Officer's Recommendation, in which he stated that he did in fact have 'full and free right and liberty ... at all times' to access by means of an Easement, the following amendments were proposed:

Condition 10: That prior to commencement of any works, the Applicant will provide details of the means of the construction access route in writing for approval;

Condition 11: That prior to occupation of the proposed dependent person's unit, the boundary wall fronting Farm Lane should be reinstated to its current form and thereafter retained.

It was moved by Councillor Ann Elliott, seconded by Councillor Mike Ratcliffe and

RESOLVED That planning permission be granted, subject to Conditions 1-9 as set out in the report, Condition 10 as amended, and Condition 11 as an addition:

Condition 10: That prior to commencement of any works, the Applicant will provide details of the means of the construction access route in writing for approval;

Condition 11: That prior to occupation of the proposed dependent person's unit, the boundary wall fronting Farm Lane should be reinstated to its current form and thereafter retained.

Voting:

For	9
Against	5
Abstentions	0

The Chairman declared the motion carried.

390/15 – APPLICATION 15/000717/FUL – DEMOLITION OF REDUNDANT POULTRY SHEDS AND ERECTION OF TWO BUSINESS AGRICULTURAL BUILDINGS,

RETENTION OF RETAINING WALL AND ALTERATIONS TO PARKING AREA/ ACCESS AT AMEYCROFT FARM, BOWLER LANE, FARLEY, MATLOCK

Councillor Lewis Rose, OBE, left the meeting at 8.10pm prior to discussion of this item.

In accordance with the procedure for public participation, Mrs Mosley, Resident, spoke against the application, and Mr Stuart Slack, resident, and Mr Matthew Slack, Applicant, spoke in favour of the application.

Correspondence received after publication of the Agenda was distributed at the meeting. This comprised letters retracting previous objections from two local residents and two further letters of objection from local residents.

It was moved by Councillor Joanne Wild, seconded by Councillor Andrew Statham and

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

Voting:

For	10
Against	2
Abstentions	1

The Chairman declared the motion carried.

391/15 – MOTION TO CONTINUE

It was moved by Councillor Tony Millward BEM, seconded by Councillor Albert Catt and

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

392/15 – APPLICATION 16/00005/OUT – RESIDENTIAL DEVELOPMENT OF UP TO 10 DWELLINGS (OUTLINE) AT LAND OFF NOTTINGHAM ROAD, TANSLEY

Councillor Jason Atkin left the meeting at 8.31pm during discussion of this item.

In accordance with the procedure for public participation Mrs Vicky Raynes, Tansley Parish Council, spoke against the application.

Correspondence received after publication of the Agenda was distributed at the meeting.

It was moved by Councillor Albert Catt, seconded by Councillor Tony Millward BEM and

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

393/15 – INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

An additional Agenda item was presented at the meeting for consideration by the

Committee. The Committee noted the report on current enforcement activity.

394/15 - APPEALS PROGRESS REPORT

The Development Manager updated the Committee on Application 15/00638/FUL – the appeal had been dismissed.

It was moved by Councillor Tony Millward BEM, seconded by Councillor Garry Purdy and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 8.40PM

CHAIRMAN