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PLANNING COMMITTEE

Minutes of a Meeting held on Tuesday 22 May 2018 at 6.00pm at The Venue, Wyaston Road, Ashbourne.

PRESENT

Councillor Jason Atkin - In the Chair

Councillors Sue Burfoot, Albert Catt, Tom Donnelly, Ann Elliott, Graham Elliott, Helen Froggatt, Chris Furness, Tony Morley, Dermot Murphy, Peter Slack and Andrew Statham.

Sandra Lamb (Head of Corporate Services), Jon Bradbury (Development Manager), Chris Whitmore (Principal Planning Officer), Andrew Stock (Senior Planning Officer) and Jackie Cullen (Committee Assistant).

12 members of the public.

In the absence of the Chairman and Vice-Chair, nominations were requested for an acting Chairman.

It was proposed by Councillor Albert Catt, seconded by Councillor Tom Donnelly and

RESOLVED that Councillor Jason Atkin be elected as Chairman for this meeting.
(unanimously)

The Chairman called for a minute's silence in memory of those who died at the Manchester Arena one year ago.

APOLOGIES

Apologies for absence were received from Councillors Sue Bull, Richard FitzHerbert, Tony Millward BEM, Garry Purdy, Lewis Rose OBE and Joanne Wild. Councillors Ann Elliott, Helen Froggatt, Chris Furness, Dermot Murphy and Andrew Statham attended as Substitute Members.

404/17 – MINUTES

It was moved by Councillor Tom Donnelly, seconded by Councillor Peter Slack and

RESOLVED That the minutes of the Planning Committee held on 17 April 2018 be
(unanimously) approved as a correct record.

The Minutes were signed by the Chairman.

405/17 – INTERESTS

Councillor Peter Slack declared a pecuniary interest in Agenda Item 4.4 (**APPLICATION NO. 17/00778/FUL – TWO STOREY SIDE EXTENSION AT 31 CHAPEL LANE, MIDDLETON**) as it was his own application. Cllr Slack was not present during discussion of and voting on this item.

Councillor Albert Catt declared a personal, non-pecuniary interest in Agenda Items 4.5 and 4.6 (**APPLICATION NO. 18/00215/REM – MODIFICATIONS TO APPROVAL OF RESERVED MATTERS APPLICATION 18/00215/REM TO SUBSTITUTE HOUSE TYPES ON 20 NO. PLOTS AT LEYS FARM, WYASTON ROAD, ASHBOURNE** and **APPLICATION NO. 18/00223/FUL – SUBSTITUTION OF HOUSE TYPES ON PLOTS 19-20, 74-93, 110-113, 117-120, 154-156 AND 158 PERMITTED UNDER 16/00450/REM AND 17/00337/FUL AT LAND SOUTH OF OLD DERBY ROAD, ASHBOURNE**) respectively, as he had given his contact details to the sales teams as a potential purchaser. Councillor Catt was present during discussion and voting on this item.

Councillor Sue Burfoot declared a personal interest in Agenda Item 4.8 (**APPLICATION NO. 18/00331/VCOND – VARIATION OF CONDITION 32 OF PLANNING PERMISSION 17/00003/FUL TO ALLOW FOR THE REMOVAL OF TREES AS PART OF RECOMMENDED CONTAMINATION REMEDIATION WORKS AT LAND NORTH-WEST OF MEGDALE, MATLOCK**) as she lived in close proximity to the site. Cllr Burfoot was not present during discussion of and voting on this item.

404/17 – APPLICATION NO. 17/01248/REM – APPROVAL OF RESERVED MATTERS FOR THE ERECTION OF 35 DWELLINGS AND ASSOCIATED WORKS AT LAND NORTH-EAST OF LATHKILL DRIVE, ASHBOURNE

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 Cllr Sandra Spencer (Ashbourne Town Council) spoke against the application and Mr Dan Stack (Applicant) spoke in favour of the application.

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

RESOLVED That approval of the Reserved Matters application be granted subject
(unanimously) to the conditions set out in the report.

405/17 – APPLICATION NO. 18/00182/FUL – PROPOSED SITING OF A HOLIDAY CABIN AND FORMATION OF AN ACCESS TRACK AT UPPER BOOTHAY FARM, LONG LANE, ALKMONTON

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 Cllr Richard Spencer (Chair of Alkmonton Parish Council) commented on the application and Mr Ede (Applicant) spoke in favour of the application.

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

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

Voting:

For	7
Against	5
Abstentions	0

The Chairman declared the motion carried.

406/17 – APPLICATION NO. 18/00332/FUL – FORMATION OF VEHICULAR ACCESS AND PARKING AREA AT SOUTHLEIGH, 6 RODSLEY LANE, YEAVELEY

The Committee visited the site prior to the meeting to allow Members to view the impact on the surrounding area.

Correspondence received after publication of the Agenda was distributed at the meeting. This comprised a comment from the Local Highway Authority stating they had no objection to the Conditions and footnotes as previously recommended.

In accordance with the procedure for public participation Mr Richard Hannant (Applicant) spoke in favour of the application.

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

RESOLVED (unanimously) That planning permission be granted subject to conditions suggested by the Local Highway Authority for the following reason:

Reason

The removal of vehicles from the public highway will be beneficial to the safe and free flow of traffic, thereby benefitting highway safety and reducing the conflict between vehicles and pedestrians. This benefit is considered to outweigh the modest harm to the character and appearance of the locality resulting from the partial loss of hedgerow..

407/17 – APPLICATION NO. 17/00778/FUL – TWO STOREY SIDE EXTENSION AT 31 CHAPEL LANE, MIDDLETON

It was moved by Councillor Albert Catt, seconded by Councillor Tom Donnelly and

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

408/17 – APPLICATION NO. 18/00215/REM – MODIFICATIONS TO APPROVAL OF RESERVED MATTERS APPLICATION 18/00215/REM TO SUBSTITUTE HOUSE TYPES ON 20 NO. PLOTS AT LEYS FARM, WYASTON ROAD, ASHBOURNE

It was moved by Councillor Albert Catt, seconded by Councillor Tom Donnelly and

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

409/17 – APPLICATION NO. 18/00223/FUL – SUBSTITUTION OF HOUSE TYPES ON PLOTS 19-20, 74-93, 110-113, 117-120, 154-156 AND 158 PERMITTED UNDER 16/00450/REM AND 17/00337/FUL AT LAND SOUTH OF OLD DERBY ROAD, ASHBOURNE

Correspondence received after publication of the Agenda was distributed at the meeting, comprising information on the receipt of amended plans; amendment to Condition 7 in light of confirmation of acceptance of the Travel Plan; and information on the receipt of a linking agreement with Application code ref. 18/00214/VCOND, which if approved would remove the need for Condition 4 in the Officer report.

Taking the above into consideration, it was recommended that the application be approved subject to the applicant entering into a linking agreement to tie the development to the developer contributions already secured on the back of previous permissions and the amended conditions as set out in the Resolution.

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

RESOLVED
(unanimously)

That the application be granted subject to the applicant entering into a linking agreement, and the amended conditions set out as follows:

1. The development hereby permitted must begin before the expiration of three years from the date of this permission.

Reason:

This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. This permission relates solely to the application as amended by the revised plan(s) received by the Local Planning Authority on the 17th May 2018 numbered S7240/100/01 Revision Z (Site Planning Layout), S7240/100/05 Revision B (Public Open Space Transfer Plan), S7240/500/01 Revision M (External Materials Layout), S7240/500/02 Revision M (Boundary Treatments Layout) S7240/500/03 Revision P (Surface Treatment Layout), S7240/500/04 Revision L (Chimney & Eaves Allocation Layout), S7240/500/05 Revision E (Pedestrian Inter-Visibility Splay Layout) and S7240/500/11 Revision E (Cycle Storage Layout).

Reason:

For the avoidance of doubt.

3. The external surfaces and boundary treatments to the dwellings and garages hereby approved shall be constructed in accordance with 'External Materials' and 'Boundary Treatment' layout plans numbered S7240/500/01 Revision M and S7240/500/02 Revision M received by the District Council on the 17th May 2018 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a satisfactory external appearance of the development in accordance with the aims of Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

4. In conjunction with outline and approval of reserved matters applications 13/00911/OUT and 16/00450/REM and full planning application 17/00337/FUL no more than 30 dwellings shall be occupied until a scheme for the improvement of the Derby Road/Sturston Road junction or other traffic alleviation measure has been secured in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority. **(Please note earlier comments that this condition may not be necessary if it is**

resolved that application 18/00214/VCOND be approved and the associated legal agreement completed).

Reason:

In the interests of highway safety in accordance with the aims of Policies S3 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

5. The carriageways and footways up to each dwelling hereby approved shall be carried out to at least the binder course surface in accordance with approval of reserved matters application 16/00450/REM and full application 17/00337/FUL prior to first occupation. Until final surfacing is completed, the footway binder course shall be provided in a manner to avoid any upstands to gullies, covers or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

For the avoidance of doubt and to ensure that each dwelling has a properly consolidated and surfaced carriageway and footway up to the existing highway and appropriate drainage is put in place to deal with surface water run-off in accordance with the aims of Policies S3, PD8 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

6. No dwelling shall be occupied until space has been provided within the site curtilage / plot for the parking and manoeuvring of residents and visitors vehicles associated with that dwelling, together with secure cycle parking, all to be laid out, constructed and approved in writing by the Local Planning Authority. The facilities shall be retained throughout the life of the development free from any impediment to their designated use.

Reason:

In the interests of highway safety in accordance with the aims of Policies S3 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

7. In conjunction with outline and approval of reserved matters applications 13/00911/OUT and 16/00450/REM and full planning application 17/00337/FUL the Travel Plan by Bancroft Consulting which accompanied application code ref. 17/00337/FUL dated March 2017 shall be carried out in strict accordance with the timetable at page 26, under table 6 unless

otherwise agreed in writing by the Local Planning Authority.

Reason:

To promote sustainable travel in accordance with the aims of Policy HC20 of the Adopted Derbyshire Dales Local Plan (2017).

8. Prior to first occupation of any dwelling hereby approved a scheme for the provision of open space and play areas to serve the plots affected by this application and a timetable for the delivery of such infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure the provision of appropriate play and open space in accordance with the aims of Policy HC14 of the Adopted Derbyshire Dales Local Plan (2017).

9. No dwelling shall be occupied until surface / storm water and foul drainage connections have been made to the main drainage network in accordance with drawings numbered H7240-500-02 Rev E and H7240-500-02 Rev E unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that appropriate drainage is put in place to deal with surface water run-off in accordance with the aims of Policies S3, PD8 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

10. No machinery shall be operated on the site, no process or operations shall be carried out and no deliveries shall be taken at or despatched from the site except between 8:00 and 18:00 hours Monday to Friday and 9:00 and 13:00 on Saturdays or at any time on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the residential amenity of the occupants of nearby dwellings in accordance with the aims of Policy PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

410/17 – APPLICATION NO. 18/00267/FUL – DEMOLITION OF EXISTING SPORTS PAVILION AND ERECTION OF NEW SPORTS PAVILION AT MEMORIAL PAVILION,

ASHBOURNE RECREATION GROUND AND PLAYING FIELDS, COKAYNE AVENUE, ASHBOURNE

It was moved by Councillor Peter Slack, seconded by Councillor Tom Donnelly and

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

411/17 – APPLICATION NO. 18/00331/VCOND – VARIATION OF CONDITION 32 OF PLANNING PERMISSION 17/00003/FUL TO ALLOW FOR THE REMOVAL OF TREES AS PART OF RECOMMENDED CONTAMINATION REMEDIATION WORKS AT LAND NORTH-WEST OF MEGDALE, MATLOCK

Councillor Sue Burfoot left the meeting at 6.55pm prior to discussion of this item.

It was moved by Councillor Ann Elliott, seconded by Councillor Helen Froggatt and

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

412/17 – INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS

Councillors Tom Donnelly and Dermot Murphy left the meeting at 7.01pm during discussion of this item.

It was moved by Councillor Albert Catt, seconded by Councillor Chris Furness and

RESOLVED That the report be noted.
(unanimously)

413/17 - APPEALS PROGRESS REPORT

It was moved by Councillor Albert Catt, seconded by Councillor Chris Furness and

RESOLVED That the report be noted.
(unanimously)

MEETING CLOSED 7.02PM

CHAIRMAN