

PLANNING COMMITTEE
8TH October 2024

CORRESPONDENCE RECEIVED AFTER PREPARATION OF THE AGENDA

ITEM 2 Clarification and correction in response to agent's email received 2nd October 2024

-Paragraph 2.1 first line delete "full planning application for"

-Paragraph 7.3 we shall delete: "not a Fourth Tier settlement as referred to be the applicant" in the second line.

-Paragraph 7.6 we shall delete " Contrary to the applicant's submission, Clifton is a Tier 3, not a Tier 4, settlement in its designation within Policy S2 of the Adopted Local Plan." From lines 5 and 6 -Paragraph 7.8 we shall delete "nine" and replace with "eighteen" in line four. We consider that the argument remains valid notwithstanding the increase in housing numbers

-Paragraph 7.36 first line delete "along with the request by the DWT to 7.26" Capital C for "conditions"

With regard to comments submitted by the agent:

We have not sought further Highways and Trees and Landscape Officer comments as the objections had already been overcome, the updated information you refer to has been taken into account. The additional financial contribution re the rural housing enabler has been taken into account in appraising this planning application.

-Despite several prompts, no objections have been received from the LLFA -Paragraph 5.21 can be amended to: conditions should include a requirement for update bat surveys and licensing, a CEMP and Species Enhancement Plan. The DWT response wrongly indexed has been removed and paragraphs 5.22 to 5.28 renumbered 5.21 to 5.27.

We note and welcome your client's willingness to provide ecological enhancement for red listed urban bird species and would be willing to accept a planning condition requiring the provision of 18 internal nest bricks (1 per dwelling) as suggested by the DWT. This email will suffice for now to indicate commitment to this should the Committee not agree with the recommendation to refuse.

ITEM 5. – Letter from agent on behalf client, received on 30th September 2024.

Dear Chelsea,

I am writing to you on behalf of my client, Phil Boam. We are aware that you are the planning officer for this application.

Our decision date is scheduled for 11th October, and I am aware that the project will be discussed at a planning committee – possibly on Tuesday 8th October.

We would like to put some comments forward in response to some of the comments which have been made on the planning application. I will put these down in writing, but my client would also like the opportunity to voice these in person if it is possible to speak at the planning committee.

As a general comment, we just wanted to state that we are happy to alter the design if another approach is deemed more acceptable. We can make the dwelling stone and slate if necessary, alter the dormers, use permeable hard landscaping, create ecological improvements etc – we are very much open to negotiation with the planners.

*Kind Regards,
Anna Manning
(Manning Holden Architects, on behalf of applicant Phil Boam)*

Comments from agent in response to the representations received are summarised as follows:

Ramblers – Derbyshire Dales

*Concern of public footpath.
Addressed with a plan – footpath will remain open at all times, including during construction.*

Peak and northern footpaths
Will remain unaffected as said above

Bonsall Parish Council

We did not submit pre application advice because this service was not available at the time. Our client did have an informal conversation with one of the planners Joseph Baldwin a while ago – who said it would be classed as infill land and in principle, a dwelling could be granted permission.

We are happy to amend any materials which are deemed not in keeping. All plans are to scale, with a scale bar. If further drawings are required, we are happy to provide these.

There is a site section in the design and access statement as well as 3d images representing how the proposal sits within it's surroundings.

Conservation

I believe that we can adapt the materials to satisfy the comments which have been made.

Based on the comment 'The proposed development will result in less than substantial harm to the significance of the Conservation Area' – we assume that if through negotiation we can adapt the design, the impact of the development will be minimal – 'not preserving or enhancing the area' – it seems that the perspective / opinion from a conservation point of view is indifference!

We would be happy to alter the materials so they are more in keeping with no. 31 which is deemed to enhance the area. Our design also adopts a vernacular form.

There is also a comment about the typical pattern of development being buildings fronting Church Street, though Ember Lane and Glebe Close as well as the houses at the North end of Church Street contradict this.

Does it matter if there is no 'Heritage benefit? It would be a new, well designed dwelling, situated within an existing settlement. We would be happy to adapt the design, specify matching stone / tooling techniques as required

Residents

Concerns over right of light and blocking views – We have designed the dwelling so that it is 1.5 stories high to keep the impact of it to a minimum. We have no windows facing onto no 31 Church Street. It could be argued that the North most dormer overlooks no 33. We would be happy to make this obscure glazing or even remove the dormer if needs be.

The position would not impact on the amenity of no 33 whose principle elevation faces the access road – nothing would change. Our South gable would be positioned about 5 meters from their end gable which has a very small (bathroom?) window. It would be no closer to them than the current to neighbours are. The nature of this whole road is such that there are clusters of houses, set closely together, staggered up the hill.

The footpath will remain open and the proposed dwelling will not affect it in anyway, as there is off road parking. The access will continue to be used as is now. The driveway/road is owned by the applicant. Bikes should not be using this it is a footpath.

Concerns on access road. The road is already a drive way for a field. The house would be for a retired couple and use of vehicles in and out of the drive way would be minimal /nomore than any other car on Church Street coming out of their drive way.

Concerns on scale – As stated, it is 1.5 storey modest size home. It is not out of scale – Church Street has a host of different size homes. This is by no means as large as some with a modest kitchen diner and snug downstairs and bedrooms tucked within the eaves upstairs!

Comments on overlooking no 35 – Comments as above on obscure glazing to one dormer if necessary.

Comments on the access road not currently being used – The field is now rented to a local farmer who checks his cattle further up the field. It is used.

The 'cattle corral' was used in the past but has not been since 2020 when the downsize in cattle meant there was no longer a use for it. It is used as parking. In relation to taking over a large area of greenfield, please see existing photo of plot below.

There is very little in way of ecological value on the existing site. We would be happy to provide bird and bat boxes, create hedgehog highways and create a landscaping scheme which satisfies a net biodiversity gain. We would be happy to specify drive way and parking finishes as permeable surfaces.

Concerns on materials - Open to negotiation and can be designed as per DDDC requirements. This is inaccurate information, definitely no ridge/ furrows. The ridge referred to is where cattle come to water from the top of the field. The field is not being built on and is not the proposed site.

This access is already used by large farm machinery so this is inaccurate. The current access is regularly used by school parents dropping children at school and other residents from Church street dropping shopping or when unable to park.

The parking is to the top of the driveway so will be off street parking. There is sufficient room for turning around. Parking on Church Street is not being lost as no one should be parking in this location the applicant's access.

Concerns on type of land use – No official definition for the type of land, it has been referred to infill land. There has never been cattle on the piece of land on which the house is proposed. There used to be a caravan on the site years ago where someone lived.

Further late representation received on 7th October 2024 – plans received from agent

1:100 elevations to show surrounding dwellings

Item 5 Response from Planning Agent received 4th October 2024 in regard to the wording of recommended Condition 6 under section 8.0. Requested this condition to be reworded from:

The use hereby permitted shall endure for the benefit only of and shall be carried on only by Matlock Self Storage during which the whole of the premises are occupied by Matlock Self Storage. The storage units hereby permitted shall be removed from site and the land restored to its former condition as a car park should the main building change its use or be sold/leased to a third party.

Reason: The development proposed is only acceptable because of the special circumstances of Matlock Self Storage and the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use in the event of the applicant ceasing the use of the main building in order to safeguard the residential amenity of the occupants of nearby dwellings in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017) and in the interests of Highway Safety in accordance with Policies S3 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

To:

The use hereby permitted shall endure for the benefit only of and shall be carried on only by Matlock Self Storage during which the whole of the premises are occupied by Matlock Self Storage. Should the site be sold in the future to anyone other than another self-storage company, the units proposed in this application shall be removed from the site and the land restored to its former condition as a car park.

Reason: The development proposed is only acceptable because of the special circumstances of Matlock Self Storage and the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use in the event of the applicant ceasing the use of the main building in order to safeguard the residential amenity of the occupants of nearby dwellings in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017) and in the interests of Highway Safety in accordance with Policies S3 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

This rewording has been requested for the following reason:

It might be that the site is sold in the future, but it will only be to another self-storage company. This happens from time to time within the self-storage community.

The removal condition would be passed on by Matlock Self Storage to any potential new owner as part of the sale, like a covenant on property deals.

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