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Planning Committee

Minutes of a Planning Committee meeting held at 6.00 pm on Tuesday, 8th October, 2024 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Peter O'Brien - In the Chair

Councillors: David Burton, John Bointon, Neil Buttle, Peter Dobbs, David Hughes, Stuart Lees, Laura Mellstrom, Dermot Murphy, Lucy Peacock, Peter Slack, Anthony Bates, Joanne Linthwaite and Roger Shelley

Present as Substitute - Councillors: Anthony Bates, Joanne Linthwaite and Roger Shelley

James Cunningham (Solicitor), Myles Joyce (Principal Development Management Officer), Shaun Robson (Interim Development Manager) and Tommy Shaw (Democratic Services Team Leader)

Members of the Public – 18

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Sue Burfoot, Robert Archer, Bob Butcher and Nigel Norman Edwards-Walker

163/24 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Peter Slacks, seconded by Councillor Peter Dobbs and

RESOLVED

That the minutes of the meeting of the Planning Committee held on 10 September 2024 be approved as a correct record.

Voting

11 For
00 Against
03 Abstentions

The Chair declared the motion **CARRIED**.

164/24 - INTERESTS

Item 5.2 - APP NO. 23/00233/FUL

Erection of 16 no. dwellinghouses and 2 no. apartments with associated works at Land North of Hawthorn House, Clifton Road, Clifton, Derbyshire.

Councillor Anthony Bates declared a personal interest in item 5.2 as a resident of Clifton.

165/24 - APPLICATION NO. 23/01330/FUL

The Principal Development Management Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The application being considered was for the installation of an air conditioning system at Carsington and Hopton Church of England Primary School, School Lane, Carsington, Derbyshire.

In accordance with the procedure for public participation, Mr Ian Corfield (local resident) and Ms Denise Corfield (local resident) spoke against the application.

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Stuart Lees, seconded by Councillor Peter Dobbs and

RESOLVED

That planning permission is granted subject to the conditions below, and that authority be delegated to the Development Manager to vary the hours as detailed in condition 5 following further professional advice regarding the predicted efficiency of the proposed system.

1. The development hereby permitted must be begun 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 planning permission relates to Site Location and Site Plan Drawing no. J4780-01 Revision A received on 25/07/2024; Proposed Floor Plan Drawing no. J4780-40 Revision B received on 24/07/2024; Proposed Elevations Drawing no. J4780-51 Revision C received on 24/07/2024; Technical Specifications 1 and 2 received on 22/12/2023; Industrial Noise Impact Assessment IMP7422-2 received on 04/06/2024 except insofar as required by other conditions to which this permission is subject.

Reason: For the avoidance of doubt.

3. Samples of all materials to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance of the development in accordance with the attached listed building and the conservation in accordance with policies S1, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

4. The operation of the air conditioning system shall not commence until the acoustic barrier is in place in compliance with the technical specifications set out within the Noise Impact Assessment IMP7422-2 received on 04/06/2024 and to the dimensions and layout set out in the Proposed Floor Plan Drawing no. J4780-40 Revision B received on 24/07/2024 and Proposed Elevations Drawing no. J4780- 51 Revision C received on 24/07/2024.

Reason: In the interests of residential amenity in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017). 28

5. The equipment hereby approved shall not be operated continuously except for between the hours of 7am and 7pm. Between 7pm and 7am (overnight) the equipment shall be set to frost protection mode only unless otherwise agreed in writing with the local planning authority.

Reason: To minimise the noise impact of the equipment and in the interests of the amenity of neighbouring residents in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

6. This consent does not extend to the removal in whole or in part, or disturbance of any other existing external elements other than those included in the proposed works without the prior written consent of the Local Planning Authority.

Reason: In the interests of preserving the character and appearance of the listed building.

7. A scheme of planting shall be submitted to and approved in writing by the Local Planning Authority within 56 days of the commencement of development.

Reason: To ensure a satisfactory landscaped setting which contributes positively to the historic environment in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

Voting

13 For
01 Against
00 Abstentions

The Chair declared the motion **CARRIED**.

166/24 - APPLICATION NO. 24/00233/FUL

The Principal Development Management Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The application being considered was for the erection of 16 no. dwellinghouses and 2 no. apartments with associated works at Land North of Hawthorn House, Clifton Road, Clifton, Derbyshire.

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, Ms Lydia Clare (Applicant) and Mr David Breakwell (Agent) spoke in support of the application. Mr Graham Elliott (Clifton Parish Council), Mr Anthony Jones (local resident), Mr John Griffiths (local resident) and Mr Ron Taylor (local resident) spoke against the application.

Consultation responses were set out in section 5 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of clarification and corrections in response to correspondence from the applicant's agent.

It was moved by Councillor Lucy Peacock, seconded by Councillor David Burton and

RESOLVED

That planning permission be refused for the following reasons:

1. The proposed development would result in encroachment in the open countryside location and would be harmful to the local landscape's intrinsic character and distinctiveness and would significantly and demonstrably outweigh the benefits of housing provision. The proposal therefore would not constitute a sustainable form of development contrary to Policies S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) and the National Planning Policy Framework (2023).

Voting

13 For

00 Against

01 Abstentions

The Chair declared the motion **CARRIED**.

The Committee adjourned at 7:50pm and reconvened at 8:00pm.

167/24 - APPLICATION NO. 24/00096/FUL

The Interim Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The application being considered was for the erection of 8 no. external storage units at Dimple Mill, Dimple Road, Matlock, Derbyshire.

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, Ms Helen Stocks (local resident), Mr David Craig (local resident) and Mr William Bermingham (local resident) spoke against the application.

Consultation responses were set out in section 5 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of a request from the agent for recommended condition 6 to be reworded and the reasoning for this.

It was moved by Councillor Neil Buttle and seconded by Councillor Peter Slack that planning permission be approved subject to the conditions as set out in the report with the addition below:

That authority be delegated to the Development Manager to discuss with the applicant the possibility of installing a green roof with associated planting on the roof of the proposed structure to improve on the level of biodiversity net gain.

During debate an amendment was moved by Councillor Peter Dobbs and seconded by Councillor Anthony Bates to remove the addition as proposed by Councillor Buttle, to be replaced with the following:

That authority be delegated to the Development Manager to discuss with the applicant the possibility of improving the planted screening of the proposed structure.

This amendment was put to the vote as follows:

Voting

12 For

02 Against

00 Abstentions

The Chair declared the amendment **CARRIED**.

The amended substantive motion was then put to the vote and it was

RESOLVED

That planning permission be approved subject to the following conditions:

1. The development hereby permitted must be begun 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. The development hereby approved shall not be carried out other than in accordance with the following approved plans and documents, except insofar as may otherwise be required by other conditions to which this planning permission is subject: 01 - Site Location Plan, Drawing No. 266-13 (received 01.02.2024) 02 - Proposed Overall Yard Plan, Drawing No. 266-17 (received 10.07.2024) 03 - Proposed Elevations and Roof Plan, Drawing No. 266-11, Rev. B (received 04.06.2024)

Reason: For the avoidance of doubt and to ensure the satisfactory external appearance of the development in accordance with Policy PD1 of the Derbyshire Dales Local Plan (2017).

3. Construction of the units shall only take place between the hours of 8am and 6pm Monday to Friday, 8am to 6pm Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the residential amenity of the occupants of nearby dwellings in accordance with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

4. The operating hours of the units should be limited to between the hours of 8am to 6pm Monday to Friday, 8am to 6pm Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the residential amenity of the occupants of nearby dwellings in accordance with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

5. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, (or any Order revoking or re-enacting that Order with or without modifications), the units shall only be used for self-storage and for no other purpose, including any other activity within the same B8 class of the schedule to that Order.

Reason: 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).

6. 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).

7. A scheme of planting shall be submitted to and approved in writing by the Local Planning Authority within 56 days of the commencement of development.

Reason: To ensure a satisfactory landscaped setting which contributes positively to the historic environment in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

Voting

13 For

00 Against

01 Abstentions

The Chair declared the motion **CARRIED**.

168/24 - APPLICATION NO. 23/00934/FUL

The Principal Development Management Officer gave a presentation showing details of the application and photographs of the site and surroundings.

The application considered was for the installation of a concrete foundation pad and the siting of a railway goods wagon and decking at Red House Stables, Old Road, Darley Dale, Derbyshire.

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, Mr Peter Burns (Agent) spoke in support of the application.

Consultation responses were set out in section 5 of the report.

It was moved by Councillor Peter Slack, seconded by Councillor David Burton and

RESOLVED (unanimously)

That planning permission be approved subject to the following conditions:

1. The development hereby permitted shall not be carried out other than in accordance with the following approved plans and documents, except insofar as may otherwise be required by other conditions to which this planning permission is subject:

01 -Amended Site Location Plan, 1:1250 Scale (received 04.01.2024).

02 - Amended Block Plan, 1:500 Scale (received 04.01.2024).

03 - NE Elevation and End Elevations, Plan A (15.09.2023).

04 - NE Elevation, SW Elevation, Floor Plan and Roof Plan, Plan B (15.09.2023).

Reason: For the avoidance of doubt and to ensure the satisfactory external appearance of the development.

2. Within 6 months of the date of this permission the development shall be completed as shown on the approved plans and in accordance with the finish details (details of the staining colour to the decking and re-painting/ finishing to the wagon) which shall have first been submitted to and approved in writing by the Local Planning Authority.

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

3. The development hereby permitted shall only be used for recreational purposes by the landowner and shall be at no time be separated from the ownership of Red House Stables or used by persons unconnected to the landowner.

Reason: In the interests of amenity and highway safety in accordance with Policies PD1 and S4 of the Adopted Derbyshire Dales Local Plan (2017).

The Chair declared the motion **CARRIED**.

169/24 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 20:30, it was moved by Councillor Stuart Lees, seconded by Councillor Peter Dobbs and

RESOLVED (Unanimously)

That in accordance with Rule of Procedure 13, the meeting continue to enable the business on the agenda to be concluded.

The Chair declared the motion **CARRIED**.

170/24 - APPLICATION NO. 24/00607/FUL

The Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The application being considered was for the erection of 1 no. dwellinghouse with associated works at Land North of Ember Lane, Bonsall, Derbyshire.

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, Ms Samantha Taylor (Applicant's representative) spoke in support of the application. Mrs Brenda Greaves (local resident) spoke against the application.

Consultation responses were set out in section 5 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of correspondence received from the Applicant's Agent and their response to the representations received.

It was moved by Councillor David Burton, seconded by Councillor Roger Shelley and

RESOLVED

That planning permission be refused for the following reasons:

1. The proposal would result in an unwarranted and incongruous form of development that would fail to preserve or enhance the character and appearance of Bonsall Conservation Area by virtue of its siting, design, form, scale, mass and materials. It is considered that the proposal would result in less than substantial harm that would not be outweighed by public benefits to be derived from the provision of a single dwelling to seek to address the District Council's inability to demonstrate a five year housing land supply, as such, the proposals are contrary to the aims of Policies S1, S4, PD1, PD2, and PD5 of the Adopted Derbyshire Dales Local Plan (2017) and government guidance contained in the National Planning Policy Framework.
2. The development fails to maintain a satisfactory relationship with surrounding dwellings and would cause an unacceptable impact by virtue of its scale, siting and form, which would result in an overbearing effect on no. 31 and 33 Church Street thus fails to comply with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

Voting

12 For

01 Against

01 Abstentions

The Chair declared the motion **CARRIED**.

171/24 - APPEALS PROGRESS REPORT

It was moved by Councillor Peter Dobbs, seconded by Councillor Dermot Murphy and

RESOLVED (unanimously)

That the report be noted.

The Chair declared the motion **CARRIED**.

Meeting Closed: 9.05 pm

Chair