

PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 14 FEBRUARY 2023

Present:

Councillor Diana Ruff (Chair) (in the Chair)
Councillor Alan Powell (Vice-Chair)

Councillor Andrew Cooper
Councillor Roger Hall
Councillor Maggie Jones
Councillor Kathy Rouse
Councillor Tony Lacey

Councillor Mark Foster
Councillor David Hancock
Councillor Heather Liggett
Councillor Pat Antcliff

Also Present:

A Kirkham	Planning Manager - Development Management
A Lockett	Senior Planning Officer
L Ingram	Legal Team Manager & Deputy Monitoring Officer
A Bond	Governance Officer
A Maher	Interim Governance Manager

PLA/ Apologies for Absence and Substitutions 81/2

2-23 Apologies were received from Councillor W Armitage who was substituted by Councillor P Antcliff, and Councillor L Hartshorne who was substituted by Cllr T Lacey. Apologies were also received from Councillor J Ridgway.

PLA/ Declarations of Interest 82/2

2-23 Councillor D Hancock indicated that he had made representations on two of the Appeals referred to at Item 8 on the Agenda: Planning Appeals – Lodged and Determined.

PLA/ Minutes of Last Meeting 83/2

2-23 The minutes of the last meeting held on 17 January 2023 were approved as a true record.

PLA/ NED/22/00391/FL - KELSTEDGE 84/2

2-23 The report to Committee explained that a Planning Application had been submitted for various works to the Kelstedge Inn, Matlock Road, Kelstedge and its surrounding site. In particular: (a) Cladding of Public House, (b) Timber lean-to shelter extension, (c) Alterations to the Porch, (d) Two timber Pergola seating structures, (e) Structures for forecourt sign, (f) Trellis fencing on the top of the stone wall to the west boundary, (g) Extensions to the rear of the Public House and the rear of Smith Barn and detached Hobby Workshop, and (h) Rear 1.8 Metre high close-board fencing, to the northern boundary of the site. The report explained that these changes had now been made and were currently in place. The Application has been referred to Committee by Local Ward Member,

Councillor W Armitage, who had raised concerns about it.

Planning Committee was recommended to refuse the Application. The report to Committee explained the concerns about specific changes. Officers had concluded that the cumulative effect of the cladding, porch and timber structures constructed of a variety of materials with differencing finishes had created a cluttered appearance, which was out of keeping with the character of the area and harmed the character of the surrounding landscape. They felt that the Application would reduce the number of parking spaces while increasing the requirement for parking. Officers contended that this would have a harmful impact on the amenity of neighbouring properties by pushing parking on to the highway.

Before Committee considered the Application it heard from Ward Member, Councillor W Armitage, the Applicant, S Oxspring and the Agent for the Application, C Stainton, who all spoke in favour of it. No one spoke against the Application.

Committee considered the Application. It took into account the Principle of Development and the site's location within the Settlement Development Limits (SDL) for Kelstedge. It considered the relevant Local Planning Policies. In particular, Committee took into account Local Plan Policy SS1 on sustainable development within the District, Local Plan Policy SS9 on appropriate developments within Settlement Development Limits and Local Plan Policy SDC3, requiring developments not to cause significant harm to the character, quality and distinctiveness of the landscape. Committee also considered the provisions of the Ashover Neighbourhood Plan and the National Planning Policy Framework (NPPF) objective that the Planning and Development process should seek to create high quality and sustainable buildings and places.

Members discussed the Application. As part of this they heard about the role which the Public House plays as a facility for the local community. Members also discussed the advice previously offered by the then Planning Case Officer, suggesting that the proposed cladding would be acceptable. Committee was informed of the context for this and the reasons why the officers felt the cladding would not be appropriate.

Members discussed the specific alterations and their impact on the surrounding area. In this context, they considered the impact on parking on the site and received confirmation that only one parking space had been removed. Committee discussed the wooden structures which had been erected and how these had been installed at the time of the Covid-19 restrictions on indoor gatherings. They also discussed concerns raised about the visual impact of some of the changes, including the rear fencing, and whether these concerns could be addressed through the imposition of appropriate conditions.

At the end of the discussion Councillor M Foster and D Hancock moved and seconded a motion to approve the Application on the grounds it is in accord with the relevant Local Planning Policies. The motion was put to the vote and was agreed.

RESOLVED -

That the Application be conditionally approved, contrary to officer recommendations.

That the final wording of the conditions to be delegated to the Planning Manager (Development Management).

Reasons

That the Application was appropriate to the scale and design of the Kelstedge Settlement.

That the Development had not harmed the landscape.

That the Development respected the local identity of the surrounding area.

PLA/ NED/22/01164/FL - ASHOVER

85/2

2-23

The report to Committee explained that an Application had been submitted for the conversion and extension of an existing barn to form a single residential dwelling and the erection of a new storage barn at Alice Head Farm, Ashover. The Application had been referred to Committee by Ward Member, Councillor W Armitage, who had raised concerns about it.

Planning Committee was recommended to refuse the Application. The report to Committee explained the reasons for this.

The report contended that although both Local and National Planning Policy supported the appropriate conversion of buildings within the countryside, this would not be possible in this instance. One of the buildings covered by the conversion plans had actually been demolished. Consequently, this aspect of the Application would have to be considered as an extension rather than a conversion. The officers felt the Application would result in an over large extension to the existing stone barn, which would be clearly visible from publicly accessible areas. They had concluded that because of its size and design of the proposed development the Application would fail to meet the requirements of the relevant Planning Policies. The development would not respect the host building and would not be sympathetic to the landscape.

Before Committee considered the Application it heard from Local Ward Member, W Armitage, who spoke in support of the Application. No one had registered to speak against the Application.

Committee considered the Application. It took into account the Principle of Development and in particular, the site's countryside location outside of any Settlement Development Limits, but within the District's most valued and important landscape. It considered the relevant Planning Policies. These included Local Plan Policy SDC1 on Sustainable Development, Local Plan Policy SDC3, requiring new developments not to cause significant harm to the landscape, Local Plan Policy SD12 requiring new developments to preserve and where possible

enhance the quality and local identity of existing communities and their surroundings. Committee also took into account the relevant Ashover Neighbourhood Plan Policies.

Members discussed the Application. They reflected on whether it would be in line with relevant Planning Policies. In this context, they considered whether the new storage building proposed by the Application would be appropriate. Some Members noted the potential benefits of creating an additional home, but recognised that Committee would need to determine the Application in terms of whether it was in line with the appropriate planning policies.

At the conclusion of the discussion Councillor R Hall and Councillor D Ruff moved and seconded a Motion to approve officer recommendations and refuse the Application. The motion was put to the vote and was approved.

RESOLVED -

That the Application be refused in line with officer recommendations.

Reasons

1. The application is considered unacceptable as, by reason of the size, scale and design of the extension put forward, the proposal would result in major alterations and adaptations taking place to the building in a manner that is not in keeping with its surroundings and be detrimental to the character of the building exacerbated by the prominent and visually prominent location of the building close to the local public right network.

As such, it is contrary to policies SS1, SS9, SDC1, SDC3 and SDC12 of North East Derbyshire Local Plan and policies AP2, AP11 and AP12 of the Ashover Neighbourhood Plan and there are no other material factors that outweigh that consideration.

2. The application is considered unacceptable as, by reason of the size, scale and design of the new storage building proposed and its location away from other built development it would unacceptably impact on the character of the area.

As such, it is contrary to policies SS1, SS9, SDC1, SDC3 and SDC12 of North East Derbyshire Local Plan and policies AP2, AP11 and AP12 of the Ashover Neighbourhood Plan and there are no other material factors that outweigh that consideration.

PLA/ 86/2 2-23

NED/22/01190/FL - BRACKENFIELD

The report to Committee explained that an Application had been submitted to convert a barn into a dwelling at Moor Grange, Doehole Lane, Brackenfield. This was a revised scheme of Application 22/00504/FL. The Application had been referred to Committee by Ward Member, Councillor W Armitage, who had raised concerns about it.

Planning Committee was recommended to approve the Application, subject to

conditions. The report to Committee explained the reasons for this.

Members were reminded that Local and National Planning Policy supported the conversion of disused buildings in the countryside, when this would not be detrimental to the character of the building or its setting. Officers had assessed the proposed conversion and concluded that it would not be detrimental to the character of the building and would preserve the openness and character of its countryside location. As such, it would meet the requirements of the relevant planning policies and so should be approved.

Before the Committee considered the Application it heard from local ward Member Councillor W Armitage. Councillor W Armitage confirmed that he was now satisfied with the details of the revised scheme and would support approval of the Application.

Committee considered the Application. There was a consensus that it would be an appropriate conversion of the building and that it should be approved.

At the conclusion of the discussion Councillor A Powell and Councillor D Hancock moved a Motion to approve the Application. The Motion was put to the vote and was agreed.

RESOLVED -

That the Application be conditionally approved in line with officer recommendations

That the final wording of the conditions to be delegated to the Planning Manager (Development Management).

1. The development hereby permitted shall be started within three years from the date of this permission.

Reason - To comply with the provision of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the details shown on drawing numbers: R0223-004 Location Plan, R0223-003 Existing and proposed site plan, R0223-007 Proposed Plans received 9th December 2022 and R0223 - 008 P3 Proposed Elevations received 15th December 2022; unless otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures

Reason- For clarity and the avoidance of doubt.

3. The premises, the subject of the application, shall not be occupied/ taken into use until space has been provided within the application site in accordance with the plan agreed in writing with the Local Planning Authority for the parking of 2 vehicles and maneuvering of residents, visitors, service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason- To ensure there is space to adequately park vehicles to maintain highway safety and in accordance with policy SDC12 of the North East Derbyshire Local Plan.

4. Before any other operations are commenced, a construction method statement shall be submitted to and be approved in writing by the Local Planning Authority. The agreed plan/statement shall be adhered to throughout the construction period. The construction method statement shall provide information about the construction access, storage of plant and materials, site accommodation, loading, unloading and maneuvering of goods vehicles, parking and maneuvering of employees and visitors vehicles during the construction period.

Reason: to ensure that work can be carried out safely within the site so as to ensure the safety of the highway.

5. Notwithstanding the submitted details, before development begins a drawing showing details of conservation roof lights well positioned in relation to the windows below shall be submitted to and approved in writing by the Local Planning Authority. The roof lights shall then be installed and retained as approved.

Reason- In order to maintain the character of the building and in accordance with policies SS9, SDC1 and SDC12 of the North East Derbyshire Local Plan.

6. Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order) no alterations, improvements or extensions (Part 1 Class A) dormer windows (Part 1 Class B), alterations to the roof (Part 1 Class C), porches (Part 1 Class D), curtilage buildings (Part 1 Class E), swimming pool (Part 1 Class E), means of enclosure (Part 1 Class E), hard surfaces (Part 1 Class F), oil storage tanks (Part 1 Class G), means of enclosure (Part 2 Class A), shall be erected/constructed without first obtaining planning permission.

Reason – To maintain the character of the building and the landscape in accordance with Policies SS9, SDC1, SDC3 and SDC12 of the North East Derbyshire Local Plan.

7. The agricultural barn located to the north west (outlined in red on the attached plan) shall remain in the same ownership as the occupiers of the dwelling the subject of this application and shall not be sold separately.

Reason: to ensure that the amenity of future residents is not harmed by the agricultural use of the building out of their control in accordance with policy SDC12 of the North East Derbyshire Local Plan.

8. Before development starts, 2no Schwegler 2F bat boxes with double front panel shall be attached to the nearby tree as recommended by the bat report and will remain as such thereafter.

Reason- In order to provide suitable roosting places for bats and in accordance with policies SDC1 and SDC4 of the North East Derbyshire Local Plan.

PLA/ Planning Appeals - Lodged and Determined

87/2

2-23

The report to Committee explained that six Appeals had been lodged. No Appeals had been allowed or dismissed. One Appeal had been withdrawn.

PLA/ Matters of Urgency

88/2

2-23

None.