

**MINUTES** of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 10 August 2015.

**PRESENT**

Councillor T Southerd (in the Chair)

Councillors J Dixon, S Freeborn (substitute Member), R L Hosker, R A Parkinson, J A Twigg, D Williams (substitute Member), J G Williams and B Wright.

Apologies for absence were received from Councillors D Charles, M Ford and Julie Hill.

No Declarations of Interest were received.

No Significant Lobbying had been received.

**46/15** **PETITION RESOLVED** that the petition listed below be received and noted:-

<b><u>LOCATION/SUBJECT</u></b>	<b><u>SIGNATURES</u></b>	<b><u>LOCAL MEMBER</u></b>
Objections to Proposed Open-Cast Mining, Hilltop Farm, Derby Road, Clay Cross, Chesterfield (Code No CM4/1014/79)	1615 approx	Councillors K Gillott and B Wright

**47/15** **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 13 July 2015 be confirmed as a correct record and signed by the Chair.

**48/15** **APPLICATION FOR PLANNING PERMISSION FOR THE LAYING OUT AND CONSTRUCTION OF A PROPOSED MULTI-USER TRAIL (PHASE 4) FROM HARRISON WAY, DARLEY DALE TO ROWSLEY**  
**APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD3/0215/142)** The application (Phase 4) was for permission for the development of a 1.3 kilometres long multi-user trail, extending from the western side of Harrison Way, Darley Dale and heading westwards towards Rowsley. The applicant was also proposing to develop several other multi-user trail sections running from Matlock to Rowsley. Phases 1 and 3 had already obtained planning permission and Phase 2 was currently in the early stages of consideration.

Details of the proposal, together with comments received from consultations and following publicity, were contained within the report of the Strategic Director for Economy, Transport and Environment. No objections had been received to the proposal, but a number of comments had been made, which the Strategic Director addressed in his report. Sixty letters in support of the application had been received.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; the National Planning Policy Framework had also been taken in to account. It was considered that the key planning considerations for the application were need for the development, landscape and visual impact, flooding, ecology, highways and rights of way and these issues were discussed in the report.

The Strategic Director concluded that there was potential for additional localised roadside parking problems, which might be generated from use of the trail but this could only be assessed once the trail was open. In this respect, the highway situation would be monitored for a period of 18 months following the development being taken in to use.

The Strategic Director commented that officers had endeavoured to address comments received and was satisfied that subject to the imposition of the recommended planning conditions the proposal would not have an adverse impact on the continued use of the existing Peak Heritage Railway, ecology, landscape or local amenity.

Although the proposed land was not currently under the control of the applicant this did not render the proposal unfeasible.

The local and strategic benefits of this proposal were multi-faceted. Improving access to the countryside, via a sustainable transport opportunity, was a long standing aim of the Local Transport Plan. Promoting increased physical activity was also a key benefit and the multi-user trail network was a recognised way of delivering this.

The Strategic Director was satisfied that the proposal would be appropriate in this location and the recommended planning conditions would enable the proposal to accord with national and local planning policies.

Councillor K Potter, Chair of Rowsley Parish Council, attended the meeting and spoke of concerns the Parish Council had on a number of issues which it considered affected the acceptability of the application. They included the time allowed for the Parish Council to comment by; concern about the potential effect on habitat for wildlife; stage by stage presentation of different

applications for different phases of the proposed trail loop (instead of holistically as a single development); a promise of funding for 3 bridges at Rowsley remaining unmet; unacceptable exacerbation of car parking difficulties in Rowsley; and lack of comment in the report regarding what might be in the interests of Rowsley and its residents.

The Strategic Director's representative responded to the concerns raised. He pointed out that there had been a number of consultations with Rowsley Parish Council regarding this proposal and that a drop-in session had been held for local residents. He assured the Committee that the comments made had not been ignored and were reflected in the proposed conditions in the report. He explained that he understood that the trail loop formation which this proposal would contribute to was being promoted by several applications to the Council, each relating to different phases of the trail loop, because of the complexity of the design issues. He considered that the interest of bats and other wildlife had been addressed in the ecology section of the report and reminded the Committee that the Derbyshire Wildlife Trust, Natural England and the Environment Agency had not objected to the proposal but had recommended particular conditions. He further commented that cyclists and trail users would enter and leave the trail at various locations along the trail, not just at the Rowsley end location. The parking concern had been carefully considered and there was the proposal included to extend and improve the existing car park at Rowsley. In addition, on-street parking in the vicinity of the access and egress points would be monitored for an 18 month period.

Following comments from Members of the Committee, the Strategic Director's representative explained that the exclusion of horse riding from this section of the trail would be appropriate in the interest of public safety on account of the closeness of the Peak Heritage Railway Line. It was pointed out that the plan which had been reproduced in the report did not include a clear depiction of the application site. It was proposed that the wording of the proposed that condition 7 in the recommendation be strengthened by adding the words 'and approved' immediately after the words 'has been submitted'.

**RESOLVED** that planning permission for the above application be granted, subject to a set of conditions substantially similar to the conditions set out in the recommendation of the report of the Strategic Director for Economy, Transport and Environment, including the addition to condition 7 immediately after the words 'has been submitted' the words 'and approved'.

**49/15**                    **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on current Enforcement Action.

**50/15**                    **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 10 August 2015 relating to EIA

applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

**51/15                      CURRENT      APPEALS/CALLED-IN      APPLICATIONS**  
**RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

**52/15                      DEVELOPMENT                      MANAGEMENT                      MONTHLY**  
**PERFORMANCE      MANAGEMENT STATISTICS** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for July 2015.

**53/15                      MATTERS      DETERMINED      BY      THE      STRATEGIC**  
**DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER**  
**DELEGATED POWERS** **RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under delegated powers on:-

**(a)      Delegation Meeting – 16 July 2015**

- 1      Section 73 Application to Vary Conditions 6 and 14 of Planning Permission CM1/1010/108, Hayfield Quarry, New Mills Road, New Mills  
Applicant: Hayfield Chatsworth Stone Ltd  
Planning Application Code No: CM1/0115/137
- 2      Proposed Temporary Modular Classroom Block with Canopy and Associated External Works, Spire Infant and Nursery School, Derby Road, Chesterfield  
Applicant: Derbyshire County Council  
Application Code No: CD2/0415/11
- 3      Proposed Installation of a Modular Kitchen Block and Alterations to the Car Park at Blackwell Primary School, Primrose Hill, Blackwell  
Applicant: Derbyshire County Council  
Planning Application Code No: CD5/0515/27
- 4      Retrospective Planning Application for the Retention of a Timber Classroom and Fixed Seating Area, with the Proposed Installation of a Metal Storage Shed and Free Standing Children's Fitness Equipment at Town End Junior School, Alfreton Road, Tibshelf  
Applicant: Derbyshire County Council  
Planning Application Code No: CD5/0515/29
- 5      Delegated Decision on Schemes Required by Planning Conditions:

- SD2403

**(b) Delegation Meeting – 23 July 2015**

- 1 Application for Planning Permission for the Laying Out and Construction of a Proposed Multi-User Trail (Phase 4) from Harrison Way, Darley Dale to Rowsley  
Applicant: Derbyshire County Council  
Planning Application Code No: CD3/0215/142
- 2 Erection of Galvanised Steel Shed, Installation of a Multi-Use Games Area incorporating Netball Nets with Back Boards and Timber 'Trim Trail' Play Equipment on a Synthetic Surface at Lea Primary School, Church Street, Lea, Matlock  
Applicant: Derbyshire County Council  
Planning Application Code No: CD6/0515/21
- 3 Section 73 Application not to Comply with Conditions 2 and 9 of Planning Permission CD8/1112/99 and to Implement the Revised Landscape Scheme at Dallimore Primary School, Dallimore Road, Ilkeston  
Applicant: Derbyshire County Council  
Planning Application Code No: CD8/0515/25
- 4 Proposed Extension to Sand and Gravel Working at Shardlow Quarry onto Land Known as the 'Western Extension' with Restoration to Agriculture and Biodiversity, Retention of Existing Processing Facility, Infrastructure, Accesses and Ancillary Development with Restoration to Agriculture and Water Habitats at Shardlow Quarry, Acre Lane, Shardlow  
Applicant: Hanson Quarry Products Europe Ltd  
Application Code No: CM9/0811/53

**(c) Delegation Meeting – 30 July 2015**

- 1 Proposed New Cement Bagging Plant with Associated Infrastructure Connecting Existing Roadways at the Site with Tunstead Quarry, Buxton  
Applicant: Lafarge Tarmac Ltd  
Planning Application Code No: CM1/0515/14
- 2 Proposed Section 73 Application to Not Comply with (Vary) Condition 3 (Canopy Design) of Planning Permission CD5/0514/18 for the Installation of a Canopy at Scarcliffe Primary School, Fox Hill, Scarcliffe

Applicant: Derbyshire County Council  
Planning Application Code No: CD5/0615/32

- 3 Proposed Greenhouse and Multi-Use Games Area at Granby Junior School, Heanor Road, Ilkeston  
Applicant: Derbyshire County Council  
Planning Application Code No: CD8/0615/31
- 4 Proposed Replacement Trim Trail Installed on the School Field at Melbourne Junior School, Pack Horse Road, Melbourne  
Applicant: Derbyshire County Council  
Planning Application Code No: CD9/0615/30
- 5 Delegated Decision on Schemes Required by Planning Conditions:
  - SM2757
  - SD2756

**(d) Delegation Meeting – 6 August 2015**

- 1 Proposed Erection of Two Freestanding Steel Canopies, a Steel Storage Shed and the Laying of Soft Play Surfacing at Cromford C of E Primary School, North Street, Cromford  
Applicant: Derbyshire County Council  
Planning Application Code No: CD3/0615/33
- 2 Application under Section 73 of the Town and Country Planning Act 1990 to not Comply with Conditions 4 (Time Limits) and 22 (Infilling and Restoration of Cell 10) of Planning Permission CM9/1107/184, in Order to Allow an Extension in Time for Continuation of Restoration at Bellington Hill Sand and Gravel Site, Near Ambaston and Shardlow  
Applicant: Biffa Waste Services Limited  
Planning Application Code No: CM9/1114/100
- 3 Application for Listed Building Consent to Relocate the School's Main Entrance with External Works to the School Building, Incorporating the Installation of a Level Access Ramp, a New Entrance Door, Roof Vents and a Visitor Entrance Sign, with Internal Works to Change an Existing Classroom into the Main Entrance and Lobby Area with Offices, Staff Meeting Room and Kitchenette, whilst the Existing Office and Staff Room would be Converted Back into a Classroom at Barrow Hill Primary School, Station Road, Chesterfield  
Applicant: Derbyshire County Council  
Planning Application Code No: LB2/0315/163