

**PUBLIC PARTICIPATION
COUNCIL HELD ON 26 July 2022**

Letter from Tansley Parish Council

TANSLEY PARISH COUNCIL
Clerk to the Council: Mrs S A Leighton
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Derbyshire Dales District Council
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24 July 2022

Dear Councillors',

COUNCIL MEETING TUESDAY 26th JULY 2022, AGENDA ITEM 8

SOLAR FARM PROPOSAL ON COUNCIL OWNED LAND.

In Law the Development Plan is a document adopted under the Planning and Compulsory Purchase Act 2004, a Legal Document. Planning Law requires that applications are determined in accordance with the Development Plan (NPPF 2021) Decisions made should reflect relevant obligations and statutory requirements. The Equalities Act 2010 is also an important issue which should be part of the 'Plan' and taken into account by decision takers.

Page 104 of the Officers Report for the above Council meeting contains a Report by APSE ENERGY Report V2. This independent Report examines potential sites 'owned' by DDDC, for a future solar farm

Watery Lane Ashbourne which has been designated as a Travellers Site, is now to be considered as a Solar Farm.

The Report states that residents of Ashbourne may prefer a Solar Farm to a Travellers Site!

Whilst it is commendable to be seeking a location for a Solar Farm, the Local Authority have a legal duty to the travellers.

Whilst the Local Plan does refer to Climate Change, there is no allocation of land within the plan, for a Solar Farm, however there is an allocation of land for Travellers Site, as previously stated the Local Plan is a legal document.

Previously land at Watery Lane Ashbourne was deemed impossible to develop as a Travellers Site because it might be needed for the proposed Ashbourne by pass, residents were lead to believe the

land belonged to DCC? Is this different land? however It now appears that the much needed by pass will not impact on this, Local Plan Site.

For Councillors to accept the recommendation to use land at Watery Lane as a Solar Farm would be contrary to Policy HC4 of the legally adopted Local Plan,

HC4 states that' the District council will safeguard 0.3 HA of land at Watery Lane Ashbourne as identified in the Local Plan Policies Map for at least 6 Travellers Pitches, the District Council will safeguard this authorized site' (Policies map Inset 5 ref HC6)

Councillors' are all aware that the Travellers have stated consistently their need to be near other family members in the South of the Dales, for support and for health reasons.

The Equalities Act could appear to being ignored by the Local Authority.

The designated land at Watery Lane Ashbourne is now available for its designated use, as a Travellers Site, DDDC need to comply with their own Local Plan.

Yours faithfully

S A Leighton
Clerk to Tansley Parish Council