

**PLANNING COMMITTEE**  
**Special Meeting of the 28<sup>th</sup> March 2024**

**CORRESPONDENCE RECEIVED AFTER PREPARATION OF THE AGENDA**

1. Email from the applicant (via their agent) received on the 22<sup>nd</sup> March 2024

The email expresses concern that the Technical Note from JBA on drainage did not appear to have regard to the updated Revised Chapter 10 Hydrology and Drainage (including Flood Risk) as enclosed at Annex G of the Environmental Statement (ES) Supplementary Addendum (Volume 4) dated May 2023, based on the list of documents identified as being reviewed.

They also point to earlier emails that they intended to submit rebuttal comments and an updated financial viability assessment.

In light of the above they state the following:

1. in relation to the points raised in the JBA Technical Note dated 1 February 2024 they attach Tetra Tech Limited's ('Tetra Tech') 'Response to Independent Drainage Review' report dated 8 March 2024;
2. our client had scheduled a meeting with the LLFA on 19 March 2024 in order to discuss the matters raised in their consultation response dated 23 February 2024. However, the LLFA cancelled the meeting in order that they could seek legal advice on the matters raised in the Hall & McKay solicitors letter dated March 2024, on behalf of Wolds Action Group and as forwarded by the Wolds Community email to the LPA dated 15 March 2024. Our client will continue to seek to schedule a meeting with the LLFA prior to formally responding to their consultation response dated 23 February 2024;
3. with regard to the DWT's consultation response dated 15 March 2024 they attach a letter from Rachel Hacking Ecology letter dated 22 March 2024, and
4. our client anticipates that it will take approximately one month to complete their updated review of the FVA for the proposed development. On this basis, we note that the latest available evidence on FVA matters is set out in the LPA's consultant (CP Viability) letter dated 7 November 2023, as enclosed with your email of 16 November 2023, and notably their Scenario 2 conclusions that the proposed development would be viable with nil on-site affordable units and reduced section 106 contributions of £2,961,000. For the purposes of the Planning Committee meeting on 28 March 2024, in the absence of having completed an updated FVA, our client proposes to accord with the evidence of the LPA's viability consultant under their Scenario 2 and provide nil on-site affordable housing. Our client also proposes to provide full financial contributions for matters including education, healthcare, library, off-site recreation, transport and travel related matters, as part of any section 106 agreement for the proposed development, subject ensuring that they meet the relevant policy tests along with the legal tests under section 122 of The Community Infrastructure Levy Regulations 2010 (as amended). We note that CP Viability's letter dated 7 November 2023 recommends that the LPA should also seek to secure a viability review mechanism as part of any section 106 agreement.

However, our client does not agree to such viability review mechanism as part of a section 106 agreement for the proposed development on the understanding that there is no policy basis this in the adopted Derbyshire Dales Local Plan December 2017, nor the Derbyshire Dales Developer Contributions Supplementary Planning Document dated February 2020.

The Tetra Tech response to the independent drainage review' report dated 8<sup>th</sup> March 2024 and email from the applicant has been published on the Council's website for review.

The report states the following:

*Full application*

High Potential for Seepage - More targeted assessment of the ground conditions will be carried out at the detailed design stage, as is usually required under a commencement condition, with the basins being lined with puddle clay or a suitable proprietary system if there is a perceived risk of underground permeability which could re-emerge downstream. Enhanced maintenance may be required for engineered solutions, however this will be assessed by the maintenance body and measures taken to keep the asset in a serviceable condition through an appropriate maintenance regime.

Wolds Spring Watercourse - Calculations for natural spring flows, overland runoff and shallow base flows cannot be determined accurately and therefore assumptions have to be made. Hydraulic modelling of the watercourse flows was carried out for a range of potential flows, assuming 20%, 25%, 30%, 40% and 65% runoff from the upstream catchment including 10l/s baseflow for Phase 1. In all cases it was demonstrated that the exceedance flows from the proposed development were reduced compared to the flows leaving the site currently. This is due to the additional attenuation provided in the lower basin to manage these flows which will reduce flooding compared to the existing situation regardless of the assumptions made as these same assumptions are applied to the existing and proposed scenarios. Whilst efforts have been made to reduce the flood risks from the existing watercourse, it is important to note that the developer has no responsibility to manage or attenuate flows from this watercourse running through their land.

The inclusion of an overflow weir was considered at earlier stages and discussed with the LLFA. The decision was made between all parties that watercourse flows and development flows should be kept separate due to the uncertainty in estimating the upstream catchment flows and the impact this would have on the upper basin, therefore the overflow weir was not taken forward.

*Outline Application*

Size of basins 1 and 2 and their ability to deal with a range of design events - 50l/s baseflow was used in the initial estimations for upstream catchment flows, based on an allowable discharge to STW sewers of 200l/s. The initially agreed discharge rate of 200l/s flow rate was significantly higher than the equivalent greenfield runoff rate from Phase 2 based on the principle that the flows from the upstream catchment were to be managed on site and released at controlled rates to STW sewers. Once the allowable discharge limit was reduced to 45l/s, it was not feasible to cater for all potential flows entering the basins from upstream catchments seeing as the 50l/s baseflow allowance now exceeds the reduced total discharge limit from Phase 2 for development and overland flows of

45l/s by itself. Basins 1 and 2, which were specifically introduced to mitigate flood risks from the upstream catchment, were significantly increased in size to try and manage flood risks relating to the upstream catchment as far as possible. It is important to note that although the developer has no responsibility to manage surface water flows from upstream catchments on site as set out in Section 3.2 of this report, significant effort has been put in to try and manage these risks as far as possible with basins 1 & 2 providing around 12740m<sup>3</sup> attenuation (up to the freeboard level) for this purpose. The development is not required to mitigate overland flows. This means that attenuation basins 1 and 2 are not required to be designed to accommodate all the upstream overland flows but are contributing to a betterment of the current flooding caused by these flows.

The provision of attenuation for flows from upstream surface water catchments is not a requirement for development. The development proposals will significantly improve the existing situation in terms of flood risks from the upstream catchment by introducing ~12740m<sup>3</sup> of additional attenuation. Whilst this may not fully mitigate against the entire range of potential flows entering the site from upstream, it will provide significant betterment to the existing scenario. Proving the robustness of this attenuation to deal with a range of possible events is not necessary. Basins 3 and 4 can cater for all storm events up to and including a 1:100yr+40% climate change event of any duration as is required for attenuation managing development flows.

Seepage - Lining of ponds is likely to be required depending on the location to mitigate against the potential risk of bypassing between basins. This will be considered in detail at later stages as part of a Reserved Matters application or discharge of conditions with LLFA and LPA involvement and introduced if required depending on the location and excavated depth of the pond. This exercise would be carried out at the pre-commencement detailed design stage in combination with a detailed earthworks design to established appropriate finished levels on site but would likely involve lining the ponds with puddle clay or suitable alternative material.

Drain time and secondary events - Basin drain down times need to be considered for basins 3 & 4 as these are taking development flows. The combined volume in ponds 3 & 4 of 5625m<sup>3</sup> will fully drain down from a 1:100yr+40% climate change storm event within 2.5 days at the equivalent greenfield rate of 26l/s. Although drain down times from the upper basins 1 & 2 will be greater than this (just under 8 days), this does not pose a significant risk from secondary storms and is clearly a huge betterment of the existing situation. Assessment of this is not required as they are catering for flows from upstream surface water flows. In addition, assessment of potential variations in baseflow is also not required for the same reason.

All four basins discharge to sewer. Runoff from basins 1 & 2 is separated from the development flows through basins 3 & 4. Basins 3 and 4 fully drain down from a 1:100yr +40% climate change event within 2.5 days. Therefore another 1:100yr event with 40% climate change could be accommodated 2.5 days after the first one in this extremely unlikely and unreasonable scenario, without even considering the additional capacity above the freeboard level to the top of pond bank which would be utilised before flooding would occur.

Discharge of basins in a controlled manner - The current proposal is for basin 1 to cascade into basin 2 and discharge at combined rate of 19l/s into the pipe network system which bypasses ponds 3 & 4. Exceedance flows from basins 1 & 2 will discharge to ponds 3 & 4 through a high level overflow weir. Basins 3 & 4 will cascade development flows and discharge at a combined rate of 19l/s as detailed on the drainage strategy drawing

551 Revision K. Details will be discussed with the LLFA at later stages of the design, including the possible complete separation of surface water runoff flows from development flows in line with the principles agreed in Phase 1. This would involve flow exceedance from basins 1 & 2 being conveyed to the south of the site, utilising any existing formal or informal outfalls at the low points of the site on the southern boundary.

The points within section 4.2 to 4.5 section are considered to be fine detail which is unnecessary to assess fully at the outline planning stage or already addressed above.

There are a number of solutions that can be utilised to address the matters raised, for example bank scour can be mitigated by stone pitching, proprietary reinforcement or gabion mattresses. Basin lowering may be possible through a detailed earthworks analysis which will as normal be carried out at the pre-commencement detailed design stage, where pond volumes and levels will be optimised. There is clearly established best practice for maintenance of basins such as the maintenance regimes set out in the Ciria SuDS Manual. This would be considered in more detail at later stages of the design depending on whether the basins are put forward for adoption by the water authority or a private management company.

*The letter from Rachel Hacking states the following:*

At present the water flows through the valley either just above or below the ground depending on the extent of precipitation in the previous time period. Generally the wetland is dry enough to walk over during summer months and that is allowing the rush pasture to dry and become invaded by pernicious weeds including Common Nettle, Docks and Thistles. So it is obvious that seepage to the underlying geology is already occurring. The proposed Baker Consultants (September 2022) Grassland Translocation Method Statement (Appendix 7.2 of the Environmental Statement Supplementary Addendum, Volume 4) as submitted to the Local Planning Authority and Derbyshire Wildlife Trust states that the attenuation basins will be kept wet so that standing water as well as rush pasture is present within the valley. The presence of standing water will increase the diversity of hydrological conditions and thereby provide opportunities for aquatic flora and fauna to colonise. To achieve standing water as well as maintaining rush pasture in wetter conditions than what exists at the present time there are two options, both of which are feasible given the locations and circumstances.

If the drainage water is at a level when it enters the valley where it is likely to stay at or near ground level for most of the year then lining of attenuation basins will be limited to those areas where standing water is collected to form pools that are surrounded by rush pasture. If the substrate is semi-permeable and water loss is occurring, as it travels down the valley, by seepage through the underlying geology, such that it is lost from the rush pasture areas, then it will be necessary to line a more extensive area of the valley floor. When the attenuation basins are being formed after the lifting and temporary storage of the vegetation the areas that are permeable/semi-permeable will be lined so that the surface drainage from the catchment continues to provide a supply of water to the rush pasture by flowing through the attenuation basins and the rate of water flow will be controlled by the depth of the basins. Lining can be a puddled clay (neutral pH) or bentonite. Post-development management will not deviate from what is contained within the Grassland Translocation Method Statement.

DWT do not raise any other concerns apart from the seepage issue, which as stated above can be addressed through more than one option for the proposed translocation of rush pasture within the attenuation basins.

Unfortunately it is not feasible to respond to DWT with regards to concerns about Lowland Meadow translocation (referred to in the Grassland Translocation Method Statement as mesotrophic unimproved and semi-improved grassland) because there is no specific information as to why concerns are raised in the context of matters raised relating to seepage. If DWT provide details of the concerns we will be able to respond appropriately.

### **Officer comments**

The instructions to the appointed drainage consultant to independently assess the surface water drainage proposals made it clear that the latest information was contained at annex H appendix 10.2 of the ES, created on the Councils website on the 1<sup>st</sup> June 2023. The Local Planning Authority is satisfied that the most up to date information has therefore been reviewed.

The application is accompanied by an Environmental Statement in recognition of the likely environmental effects of the development, with hydrology and drainage being a chapter and significant constraint. If planning permission was to be granted the Local Planning Authority would need to be able to demonstrate that the main measures to avoid, reduce and, if possible, offset any major adverse effects of the development can be achieved.

Although the Local Planning Authority acknowledges the points made by the drainage consultant these do not satisfactorily address the concerns raised by the Council's drainage consultant with regard to exceedance of basins 1 and 2 over a range of scenarios including successive storm events, the effects of seepage and the implications on the attenuation basins serving development flows.

The lack of information in relation to the final design of the basins and their construction to deal with the concerns identified is such that the Local Planning Authority cannot be satisfied that habitat of principal importance can be successfully translocated to prevent an unacceptable loss of biodiversity on site. It is therefore recommended that RfR 1 and 2 are reasonable and remain relevant.

With regard to RfR no. 1 there is a typographical error in the officers report in that Policy S8, rather than PD8 (which deals with Flood Risk Management) is cited. If members are minded to refuse planning permission RfR no. 1 should read:

- 1. The application lacks sufficient detail in order for the Local Planning Authority to be satisfied that the development can be delivered without resulting in flood risk on site, elsewhere or presenting unacceptable risk to public safety contrary to the requirements of Policies S1 and PD8 of the Adopted Derbyshire Dales Local Plan (2017) and the objectives of paragraphs 157, 173 and 175 of the National Planning Policy Framework (2023).*

With regard to RfR no. 4, despite making a without prejudice offer to deliver previously agreed levels of affordable housing following viability testing across the site and making provision for this in the full application, the applicant now wishes to provide no affordable housing and to provide full financial contributions for matters including education, healthcare, library, off-site recreation, transport and travel related matters, as part of any section 106 agreement.

The applicant advised through their viability expert in an email dated 16<sup>th</sup> October 2023 that they had not updated the values and costs from those that were adopted by the Council's viability expert to keep the sensitivity testing straightforward with regard to the

offer. Although the revised position follows the advice received by the District Council's viability expert, it remains that the approach to viability is flawed by considering the development as a whole and not the different phases to ensure a fair deal in terms of affordable housing delivery. This is particularly important given that the application comprises a full part (with limited abnormal costs) and outline parts, which may not ultimately come forward.

Although the applicant points to there being no policies in the development plan or no requirement in the Developer Contributions SPD to include review mechanisms and clawback provisions in any s106 agreement to review costs and sales values to claw back any additional value / profits in the development above 20% to deliver affordable housing, for such a large development with significant abnormal costs and over such a long anticipated construction period (9 years) this is a significant failing and will not help to maximise affordable housing delivery across the plan area and is contrary to policy HC4 in this respect. It can only be assumed that the affordable housing identified on the application plans will be delivered as market housings. The number of units effected would have a negligible impact on the mix of housing to be delivered to meet the requirements of Policy HC11.

In light of the above and the revised position of the applicant it is recommended that RfR no. 4 is amended to read:

*The application does not consider or include a mechanism to secure the level of affordable housing across the different phases of the development that can potentially be viably made and the applicant is not willing to include review mechanisms and clawback provisions in any legal agreement. The development therefore fails to maximise the delivery of affordable housing on this strategically important site and across the plan area contrary to the requirements of Policies S10 and HC4 of the Adopted Derbyshire Dales Local Plan (2017).*

The list of plans and documents to which any decision notice should relate should also include the recent email from the applicant setting out their position on affordable housing delivery and viability, as set out below:

Environmental Statement Supplementary Addendums dated May 2023 (Volume 4) and Associated Appendices

Updated Non Technical Summary dated May 2023

Open Space and Playing Fields Contributions report dated August 2023

Design and Access Statement Addendum dated May 2023

Drawings for Phase 1 and the Scheme on the Full and Outline Parts of the Site

Phase 1 drawings from Stephen George Partnership (SGP) as listed in their enclosed Document Issue Sheet 120 [which replace their previous set of drawings as submitted with WYG letter dated 14 October 2019 and Drawing No. 16-011-P14 Rev. D as submitted in ES Addendum (Volume 3) with our letter dated 31 March 2021].

Phase 1 Landscape Proposals (Sheets 1 to 4) as shown on Urban Wilderness Drawing Nos. 323-UW-P-004 Rev. J to 323-UW-P-005 Rev. H inclusive [which replace the munro+whitten Phase 1 landscape proposals Drawing No. 0707.09C to 0707.12C - sheets 1 to 4 inclusive - as submitted with WYG~ letter dated 14 October 2019].

323-UW-P-004 Rev.J Landscape Proposals 1of4

323-UW-P-005 Rev. H Landscape Proposals 2of4

323-UW-P-006 Rev H Landscape Proposals 3of4

323-UW-P-007 Rev H Landscape Proposals 4of4

Drawing No. 0707.04C Density Plan [as previously submitted]

Drawing No. 0707.005C Parameters Plan [as previously submitted]  
 Drawing No. 323-UW-P-003 Existing Vegetation - Retention and Removal [replaces 0707.06A]  
 Drawing No. 323-UW-P-009-Rev. B Illustrative Development Masterplan [replaces 0707.07. Q]  
 Drawing No. 323-UW-P-Rev. A-012 Phasing Plan [replaces 0707. 008. C]  
 Drawing No. 16-011 P13 Rev. L Phase 1- Proposed Site Layout [replaces 16-011 P14 Rev. D  
 16-011 P13 Proposed Site Plan  
 16-011 P03 Proposed Materials Plan  
 16-011 P04 Proposed Hard Landscaping Plan  
 16-011 P05 Proposed Boundary Treatments Plan  
 16-011 P06 Proposed Street Elevations C&D&F  
 16-011 P07 Proposed Street Elevations A&B  
 16-011 P08 3D Site View 1  
 16-011 P09 3D Site View 2  
 16-011 A02 Electric Vehicle Charging Point Plan  
 16-011 BA(PC)-4 Bakewell stone (PC) house type drawing  
 16-011 BA-2 Bakewell render house type drawing  
 16-011 BF(RC)-1 Brocksford (RC) house type drawing  
 16-011 BF(RC)-2 Brocksford render (RC) house type drawing  
 16-011 CF(PC)-1 Cromford (PC) house type drawing  
 16-011 CF-1 Cromford (PC) house type drawing  
 16-011 FD-1 Findern house type drawing  
 16-011 HA(PC)-1 Hathersage (PC) house type drawing  
 16-011 HA-1 Hathersage house type drawing  
 16-011 HN(RC)-1 Hartington (RC) house type drawing  
 16-011 HN(RC)-2 Hartington render (RC) house type drawing  
 16-011 HN-2 Hartington render house type drawing  
 16-011 HW-1 Hardwick house type drawing  
 16-011 HW-2 Hardwick render house type drawing  
 16-011 KL(PC)-4 Kedlestone stone (PC) house type drawing  
 16-011 LD(FC)-4 Longford stone (FC) house type drawing  
 16-011 LD-1 Longford house type drawing  
 16-011 LD-2 Longford render house type drawing  
 16-011 OT-1 Oakenthorpe house type drawing  
 16-011 RB(RC)-1 Riber (RC) house type drawing  
 16-011 RB(RC)-2 Riber render (RC) house type drawing  
 16-011 RD(PC)-2 Radbourne render (PC) house type drawing  
 16-011 RD(PC)-4 Radbourne stone (PC) house type drawing  
 16-011 RS-1 Rowsley house type drawing  
 16-011 TA-1 Tapton house type drawing  
 16-011 WS(FC)-1 Wessington (FC) house type drawing  
 16-011 WS(FC)-2 Wessington render (FC) house type drawing  
 16-011 WS-1 Wessington house type drawing  
 16-011 WS-1 (Det) Wessington Detached house type drawing  
 16-011 WS-2 (Det) Wessington render Detached house type drawing  
 6235 L83 Metal Railing  
 6235 L65 Brick Screen Wall  
 6235 L57 Post & Rail Fence  
 6235 L89 Brick Screen Wall  
 6235 L62 Waney Edged Panel Fence  
 6235 L59 Timber Knee Rail

6235 L56 Palisade Fence - 1800mm  
 6235 L44 Timber Fence -1800mm  
 16-011-LD(FC)-4 Longford Stone house type drawing  
 551 Drainage Strategy (Proposed Pond Section Locations)- 02/08/22  
 023 Rev A- A632/Gritstone Road/ Wolds Road Improvements 06/10/2020  
 Land drainage correspondence and supporting information received 06/10/2020  
 16-011 P14 Rev D- Proposed Site Layout  
 16-011 P02 Rev R- Proposed Site Layout 11/2018  
 Phase 1 -Vehicle Tracking 1006 Rev D -20/12/2019  
 501 Rev B- Phase 1 S104 Drainage Sheet 1  
 502 Rev B- Phase 1 S104 Drainage Sheet 2  
 503 Rev B- Phase 1 Drained Areas Sheet 1 Rev B  
 504 Rev B- Phase 1 Drained Areas Sheet 2 Rev B  
 505 Rev A -Existing Catchments -Catchment F Time Area Diagram  
 506 Rev A- Phase 1 S104 Drainage Schedules  
 591 Rev A Sandy Lane Cross Sections  
 550 Location Plan- Existing Catchments and Overland Flow Routes  
 0707.03A- Figure 1.2 Application Site Plan 22/11/2018  
 16-011-P10- Proposed Site Sections  
 Housing Mix Implications on Urban Design Statement- 10/2019  
 16-011 GB14 Proposed Garage  
 16-011-P-GB.01 (S1) Proposed Garage Rev B  
 16-011-P-GB.01 (S2) Proposed Garage  
 16-011-P-GB.01 Proposed Garage Rev B  
 16-011-P-GB.02 Proposed Garage Rev B  
 16-011-P-GB.02 (S1) Proposed Garage Rev B  
 16-011-P-GB.02 (S2) Proposed Garage Rev B  
 16-011-P-GB.03 Proposed Garage Rev B  
 16-011-P-GB.06 Proposed Garage Rev B  
 16-011-P-GB.14 Proposed Garage  
 16-011-P-GB.10 Proposed Garage  
 16-011-P-GB.09 (S1) Proposed Garage  
 16-011-GB14 (S1)- Triple Garage  
 Open Space and Playing Fields Contributions report dated August 2023  
 Design and Access Statement Addendum dated May 2023  
 A091658-35-12-551I Rev I Matlock PH1, PH2 Drainage Strategy (received April 2022)  
 HLD Viability Assessment Work and Update Letters  
 CPV Viability Assessment Work undertaken on behalf of the Council (Reports dated April 2022 and November 2023)  
 Abnormal Costs Summary and Assessment by Prosurv  
 Abnormal Costs Assessment Work undertaken on behalf of the District Council by RCS Construction Ltd  
 Environmental Statement Revised Chapter 1 and Associated Appendices (May 2021)  
 Environmental Statement Revised Chapter 2 and Associated Appendices (May 2021)  
 Environmental Statement Revised Chapter 4 and Associated Appendices (May 2021)  
 Environmental Statement Revised Chapter 7 and Associated Appendices (May 2021)  
 Climate Change Statement  
 Residential Travel Plan June 2019  
 Supplementary Transport Statement  
 Utilities Assessment - 11/2018  
 Planning Statement - 11/2018  
 Environmental Statement Volumes 1 and 2 and Associated Appendices  
 Statement of Community Involvement



## Utilities Assessment

Email from John Dickinson dated 22<sup>nd</sup> March 2024 setting out the applicant's revised position on affordable housing delivery and developer contributions.

### 2. A letter has been received from Legal Counsel representing the applicant on the 25<sup>th</sup> March.

The letter expresses surprise that the application is being considered at committee on the 28<sup>th</sup> March.

They consider that the case officer has approached the assessment of the application with a closed mind and has not given the applicant enough notice of the committee to be able to address officer concerns. The letter suggests that the applicant had only been given 7 working days notice of the meeting.

#### **Officer comments:**

The applicant was made aware of the provisional planning committee date on the 8<sup>th</sup> March 2024. They did not advise that they were reviewing the viability of the development until after they were notified of the committee date.

The applicant has presented additional information in an attempt to address the independent drainage consultant's and DWT concerns, which are considered above.

The application has been pending consideration for more than 5 years and the proposal to present new viability information in a months' time and the unwillingness to include any review mechanism or clawback provisions within a s106 and other concerns with the application are such that the requirement to continue to engage in a positive and proactive manner is considered to be best served by issuing a decision on the application at the earliest opportunity to enable the applicant to exercise their right to appeal.

### 3. Public representations received since the publication of the Agenda:

#### John Delany, Matlock Resident has made the following representations:

I am very strongly against this application. We will lose more greenbelt land along with the habitats of the local wildlife. We all know the dangers in Matlock of flooding and this development will only add to that danger.

Matlock does not have the infrastructure to cope with this amount of additional housing, the road around Matlock town centre are already overstretched.

Where will the additional school places come from and the extra need for health services and further sewer improvements.

Finally please consider the residents that live in these areas affected by this proposal, are we to live in the middle of a building site for many years it will take to complete this project.

#### Dr Emma Birkett, Matlock Resident has made the following representation:

Equality has not been considered in the built environmental design of this development. Planners must assess whether there would be equal access to Matlock's services for women and men of different ages and stages of life living in the proposed development. In particular, they should consider whether the location and design of the development facilitate the everyday routines of women who are more likely to:

- (a) spend more time in the home or on childcare related activities during working hours,
- (b) walk or use public transport options
- (c) take more frequent trips in their daily routines

(d) have a greater life expectancy and therefore have different transport needs in older age

These factors mean that the mobility chains of women are more complex and varied in many cases than those of other groups. Pregnant woman and parents of young children living in this development should have equal access to health and childcare facilities on their journey to work by car or public transport. A development at the top of a very steep hill, over a mile from the town centre with limited direct public transport or safe cycling options does not appear to be a desirable place for a sustainable housing development. Limited access to transport can lead to social isolation, reduced access to employment and poorer health outcomes. Developments which force car ownership upon residents can lead to economic stress. Planners should consider a systematic evaluation incorporating consideration of [gender mainstreaming principles](#) and [mobility inequalities](#) in assessing the viability of this development as we aim for a just transition to a low carbon economy in Matlock.

Rose Clarke, Matlock Resident has made the following representation:

I wish to strongly object to the following: Outline Planning Application for up to 345 Residential Units etc. Plus full planning application for 78 Residential units: Land Between Sandy Lane, Bent Lane And Gritstone Road Matlock Derbyshire for the following reasons:

#### Traffic Congestion

The increase in the number of vehicle movements on the existing highways to access these sites will no doubt be well in excess of 1000 a day on a work day on top of existing vehicles. Although Gritstone Road is currently a moderately quiet street, it is still challenging to get onto Chesterfield Road during rush hour with heavy traffic coming into Matlock and the school traffic to Highfields and then there are the queues down in town from all the roads into Matlock and the traffic lights and roundabouts. So hence extreme congestion, noise and air pollution (exhaust fumes) from moving and queuing vehicles. With the sites being approx. a mile from the amenities of the town centre and at the top of the steep hill the majority of people would choose to use their car to access local amenities. The whole of the town and the approach roads will be even more congested if there is such a large estate built. Most of you will have experience the frustration of queuing to get in/through town – sitting in queues from beyond Sainsbury's roundabout on Bakewell Road and all through Matlock town centre are daily issues, regardless of whether its rush hour or not. Matlock's Highways are SIMPLY already at SATURATION point and any increase (100+% on Chesterfield road as traffic reports has indicated, not even thinking about the 40+ HGV traffic movements) will gridlock the towns roads.

- Road safety

The implications of the significant increase in traffic on the roads at the Wolds area of town and Matlock generally are hardly worth thinking about. Access to the Gritstone Road site will impact on children coming and going from Highfields upper school and residents. And the risk of a collision with another vehicle or pedestrian or cyclist is automatically increased with an increase in traffic using the highways. Many drivers already abuse the 30mph limit on Chesterfield Road. I myself have reported on several occasions' joy riders and motorcyclists using the road as a speed track.

- Flood risk

The houses on Gritstone Road already suffer from flooding and poor ground and surface water drainage and the natural gradient of the fields proposed for building on due to the low porosity geological structure of the bedrock and overlying clays. Our house has had rising damp from one of the underground springs that run under the house. We have a bog for a garden for at least 4 winter months, despite having installed land drains around the edge. Our garage has repeatedly flooded as run off from the field floods through the stonework. Other houses have had the same issues and water from the underground

springs has forced through the tarmac pavements and roads on Gritstone road in several places during the 10 years we have lived here. Where would a developer put drains and soakaways for 500 houses when they would be bound on the downhill edge by the existing housing?

And with the severe flooding in Matlock in 2019 and again in 2021 much of which was caused by excessive run off down the slopes of Matlock into the centre (River Derwent flooding was secondary) any more loss of natural drainage such as the countryside on this proposed development site is only going to increase the risk of these events and severity of them with our current sporadic climate and weather patterns. Can we risk further loss of life from such events?

- Expanding the boundary of Matlock

Sites SHLAA 224 and SHLAA 225 (DDDC Local Plan) are both beyond the current settlement framework boundary for development thus if developed will set a precedent for future development on other greenfield sites rather than existing undeveloped brownfield sites. Some of the other current housing developments at this end of Matlock are already struggling to sell suggesting they are overpriced and the forecasted demand is not realistic.

- Accessibility compromised

The site as a whole is elevated and exposed, being one of the highest points around the town boundary. This area is above the snow line during winter and exposed to a different climate, usually 2 degrees colder than the centre of town can be notoriously icy and snowy and difficult to access in harsh winter weather. With County Council cutbacks to public transport and Highways maintenance such as gritting routes the site would be very inaccessible. The DDDC Local Plan, Nov 2015 clearly states: "A 43% increase in people aged 60 or more, but the biggest change will come in the 75+ age group, where an 88% increase is forecast". With potential new residents likely to be of this age group the site is hardly suitable for the elderly or infirm, particularly if they have to rely on public transport. The women's Tour of Britain cycle race classed Bank Road hill climb as gruelling. Surely we are not expecting the elderly to be walking or cycling up and down here or the average younger person Is the council going to suddenly find money to out on extra buses? The National Planning Policy Framework 2012 says: "In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport." P9 NPPF which these sites clearly do not!

Loss of wildlife habitat

- Loss of such habitat is contrary to the Government's National Planning Policy Framework which states that the planning system should: "Contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, geological conservation interests and soils; – recognizing the wider benefits of ecosystem services; – minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures." P26/27 NPPF. Many of which are on the RSPB's "Birds of Conservation Concern – Amber List for Species in Decline". The site is a wintering ground for fieldfare and redwing – both of which are on the RSPB's "Birds of Conservation Concern – Red List for Species in Severe Decline", The nation is already drastically reducing the biodiversity of the English countryside by development and intensive farming methods so every bit of open countryside with any sort of ecological value such as this that is lost is one step further to an unsustainable future with loss of habitat and thus important species that contribute to the food chain. DDDC are shouting about the roadside reserves they have been managing more recently, but then developments such

as these would undo all that extra habitat and biodiversity creation. We are in a climate and wildlife crisis. These losses are contributing to the irreversible loss of species and areas of habitat in Derbyshire.

#### Noise & Light pollution

- With the proposed scale of the development there will be prolonged unacceptable noise and light pollution and disturbance from construction traffic. With the elevated position of the site there would be no way of screening light from the resulting properties from the rest of town thus totally contradicting the Planning framework: "Planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation". P29 NPPF. Just look at the impact of the lights from Matlock Golf Club Driving range at night as you approach from Slack Hill and now the new all weather sports pitches at Highfields Upper site.
- There are a number of other issues for concern such as subsidence, impact on existing infrastructure such as schools doctors, the latter whom are already at full capacity with long waits for appointments, availability of employment as well as those outlined here that really do not make the Gritstone Rd/Sandy Lane/Pinewood Rd site suitable for this development, especially to the scale in the application. I urge the Council to decline the application and any appeals. All the other major residential developments in Matlock have access roads straight on to main roads in the town or have had link roads constructed. This development requires access through existing residential areas, which residents already struggle to exit from onto the A632 due to massive increases in traffic over the last 10 years, partly due to all the other residential developments around Matlock.
- This site really isn't suitable for development. Please consider the detrimental impact this will have on the 'picturesque spa town' of Matlock and the beautiful Derbyshire Dales countryside and it's communities.

Non-attributable representations received since the publication of the Agenda:

Susan Pearson (member of the public) has made the following representation:

Why build more houses Matlock Council need to help the victims whom have had FLOODED HOMES Not make things Worse Building Again.

Help should be given to people that have suffered and still are suffering every time it rains its a worry and NO ONE CARES.....

It seems you can spend money on New Builds but NO HELP FOR HOMEOWNERS.

New Drainage pipes and Pot Holes fixed before you spend on Stupid Ideas as MATLOCK will soon be a Dam!!!!

Alan Hinchcliffe (member of the public) has made the following representation:

I strongly support the planning officer's recommendation to refuse the Wm Davis planning application in the Wold area / Sandy Lane. Any increase in the volume of traffic in this area is just unimaginable. Visit this area at Highfield school arrivals and departure times and it is just impossible for the safe movement of vehicular and pedestrian traffic More generally the inevitable increase of traffic in Matlock is unacceptable. For the last two years Matlock has suffered from a series of traffic restrictions, road repairs road closures and bridge repairs which has worn down the tolerance of residents.

It is high time the council responded to yet more possible permanent disruptions.

Beyond all this, as a resident of the latest Wm Davis development off Asker Lane, Chesterfield Road, I seriously question the integrity of this developer to honour all of its planning promises in this application. We now have the distinct possibility of the DCC refusing to adopt the highways because of Wm Davis inability to satisfy Severn Trent's requirements concerning drainage. It is important to understand that this development began almost six years ago, and these issues remain. I have no confidence at all of a satisfactory outcome due to the feet dragging and reluctance of Wm Davis as an organisation to address the issues.

Bob and Sue Crabb (members of the public) have made the following representation:

Hello Thank you for all the information so far regarding the proposed development cited above.

I would like to find out whether it is possible that this development can still go ahead despite the present recommendations of the Planning Officer ...I would like to argue that members support this refusal in view of the huge numbers of houses recently built in Matlock and my village of Tansley as we are all outside the Peak Park where development is much more difficult.

During recent years Matlock has been overwhelmed by unpredictable floods and sewerage problems. It has been extremely inconvenient for residents and Severn Trent seems totally unprepared for the demands of an increasing number of houses and the likelihood of flooding locally despite paying their Chief Executive and board members extremely as well and rewarding their shareholders.

The Planning Officer highlights the impact on biodiversity, the dangers of access to the site for a very considerable numbers of vehicles of even more disruption that a further development will bring.

I am sure William Davis will appeal any negative decision and note they offer shops and a takeaway along with a green space but there is a lack of affordable properties in the scheme and no mention of a school or a pharmacy or doctors surgery in the planning.

Here in Tansley we have no facilities except a school...other estates around the golf course in Matlock have no shops, no school spaces and no pharmacy everyone locally has to drive Matlock for services. There is not a pedestrian crossing near the school only near the Duke of Wellington. This is very tricky for families and elderly people.

Please continue to update residents on the progress of any appeal should the refusal be accepted.

Officers have also been copied in on correspondence sent to the Local Highway Authority from Mr Elsworth. These representations question the ability to deliver the link road based on the ground conditions and engineering difficulties.

**Officer comments**

Officers advise that members take the above comments into consideration when considering the development proposals.

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