

**PLANNING COMMITTEE**  
**27<sup>TH</sup> November 2024**

**CORRESPONDENCE RECEIVED AFTER PREPARATION OF THE AGENDA**

**5.1. APPLICATION NO. 24/00698/OUT**

Officer's update

- Condition 16 relating to construction working hours is to be amended to the hours of 0800-1800 Mon-Fri and 0800-1300 Saturdays and no time on Sundays and Bank Holidays.
  
- List of approved plans on Condition 4 is to be amended to the following:
  - o 560\_101 Location Plan dated 22/11/2024 received 25/11/2024
  - o 175/034/001 Parking Layout received 20/08/2024
  - o 24/108/010 Visibility Splay Plan received 17/10/2024

In response to concerns raised by residents regarding the BNG assessment and updated Site Location Plan, the Applicant has provided an updated BNG baseline assessment and metric which confirms a biodiversity net gain of 19%. Derbyshire Wildlife Trust have now reviewed the updated BNG information and are satisfied that it is accurate for the purposes of determining this application.

**Emma Smith's Representation for 24/00698/OUT  
For the Committee Meeting 27 November 2024.**

*Dear Committee Member*

*I was due to attend and represent Mr and Mrs Brassington, but unfortunately due to a family emergency cannot attend and have asked for this to be circulated to the Committee Members.*

*Thanks Emma*

I am representing Mr and Mrs Brassington of Ashley Close and wish you to consider their areas of concern.

The application sits on the edge of the Tansley settlement boundary and within the green buffer to protect the Lumsdale conservation area. PD1 'requires that development on the edge of settlements enhances landscape character' and PD5 states 'resisting development which would harm or be detrimental to the setting of a settlement'.

The Council's Leader promised to protect the environment. 69% of the application site sits in the countryside outside the Tansley Settlement. Thus if approved will go against this promise and 69% of the countryside will be lost forever.

In addition, the Countryside landform acts as a 'sponge' for the rainwater to naturally soak to the water table. The two dwellings will drastically reduce the lands natural ability to soak away water.

In PD8, the LPA 'will support development proposals which do not increase the risk of flooding elsewhere' – a commissioned report advises higher water levels in the Bentley brook has increased flooding in Matlock. Application approval would increase the flood risk elsewhere and go against PD8.

Further in PD8, the LPA 'will support development proposals that have 'no deterioration in ecological status in line with the Water Framework Directive, through indirectly overloading of the sewerage system'. A neighbour has had 2 recent occasions of sewage flowing into his garden and the brook. Thus, if approved this would be contrary to PD8 as it would be overloading an already overwhelmed sewerage system.

I would also like to raise the issue of highway safety; does the committee feel that a full highway assessment report has been presented for this application?

How, for example, have the proposed visibility 'improvements' been derived and how have the x and y distances been calculated? They are not defined on the visibility plan.

Visibility splays are determined using the 85<sup>th</sup> percentile speed and this is obtained using an automatic traffic count or radar speed survey on the A615 and due to the bend in the road a forward visibility exercise. The visibility splay should be drawn in accordance with the relevant technical guidance: Manual for Streets (where the 85<sup>th</sup> percentile speeds are <40MPH) and above this the Design Manual for Roads and Bridges. Have these exercises been shown to the committee?

The police have confirmed three recorded road traffic accidents within the 30 meters between the Royal Oak and Alders Lane. This was when the pub/restaurant were operational.

Current annual vehicles on the A615 is 10,500, this is 500 more than when it was operating as a business. With 75% of residents in England holding a car licence, the traffic will only increase.

I implore you to consider these facts and defer the application for further flood and highway reports to be provided.