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Planning Committee

Minutes of a Planning Committee meeting held at 5.00 pm on Thursday, 28th March, 2024 in the Members Room, County Hall, Matlock, DE4 3AG.

PRESENT Councillor - Peter O'Brien, In the Chair

Councillors: David Burton, John Bointon, Neil Buttle, Peter Dobbs, Nigel Norman Edwards-Walker, Stuart Lees, Laura Mellstrom, Dermot Murphy, Peter Slack, Nick Whitehead, Marilyn Franks and Roger Shelley

Present as Substitute - Councillors: Marilyn Franks and Roger Shelley

Kerry France (Legal Services Manager), Helen Mitchell (Director of Corporate and Customer Services (Monitoring Officer)), Chris Whitmore (Development Control Manager), Angela Gratton (Democratic Services Officer) and Lucy Harrison (Democratic Services Assistant)

Members of the Public – 97

Note:

“Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council’s Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document.”

APOLOGIES

Apologies for absence were received from Councillor(s): Sue Burfoot, Robert Archer and David Hughes

395/23 - INTERESTS

There were no declarations of interest.

396/23 - APPLICATION NO. 18/01242/EIA

The Development Manager gave a presentation showing details of the application and photographs of the site and surroundings.

The Committee visited the site prior to the meeting to allow Members to appreciate the proposal in the context of its surroundings.

In accordance with the procedure for public participation, Mr Tom Dillarstone (Planning Manager - Applicant) spoke in support of the application. Cllr Jason Farmer (Darley Dale Town Council), Sarah Dines MP and Ken Parker (Matlock Civic Association) commented on the application and the following spoke against the application:

Cllr David Hughes (Matlock Town Council)
Julie Atkin (Wolds Community) - Overview
John Youatt (Wolds Community) - Planners Overview
Sharon Briddon – Wolds Community -Viability
Nigel Carter (Wolds Community) - Landscape
Rob Atkin (Wolds Community) - Drainage Proposals
Jenni Fellow (Wolds Community) - Highway Safety Concerns
Christine Gregory (Wolds Community) - Ecology
Professor Steve Martin (Wolds Community) - Sustainability and Climate Change.
John Tresadern (Wolds Community) - Geology and Hydrogeology.
Cllr Steve Wain on behalf of Colleen Marples (Wolds Community) - Planning History of the site.
Christine Martin (Wolds Community) - Present petitions and summarise.
Peter Wild (Wolds Community) - Access
David Ball (Wolds Community) - Ancient water network and pipe capacity.
Heather Clifton Smith (Wolds Community) - Mental health and sitting attenuation.
Nick Elliott (Matlock Community Land Trust)
David Elsworth (Local Resident)
Laura Stevens (Dales Climate Hub)
Paul Hibbitt (Local Resident)
Neil Fray (Local Resident)
Cllr Steve Wain (Ward Member)
Cllr Martin Burfoot (Ward Member)
Cllr Sue Burfoot (Ward Member)

5.10 pm Councillor Nick Whitehead joined the meeting.

6.00 pm Councillor Nigel Edwards-Walker joined the meeting.

Christine Martin (Wolds Community) after her presentation presented the petition with 2,662 signatures to the Chair, the chair asked for her to read out the petition – ‘Refuse the Wolds application and remove it from the Derbyshire Dales Local Plan’ the Chair then formally accepted the petition.

6.45 pm the meeting adjourned.

7.00 pm the meeting reconvened.

Consultation responses were set out in section 5 of the report.

Correspondence received after publication of the agenda was distributed at the meeting. This comprised of an email from the applicant via their agent, a letter received from Legal Counsel representing the applicant representations from Local Residents.

In the Officers comments in response to the email received from the applicant via their agent with regard to RfR no. 1 there was a typographical error in the officer’s report in that

Policy S8, rather than PD8 (which deals with Flood Risk Management) is cited. If members were minded to refuse planning permission Reasons for Refusal 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).*

397/23 - DURATION OF MEETINGS (MOTION TO CONTINUE)

At 7.30 pm, it was moved by Councillor David Burton, seconded by Councillor Peter Slack and

RESOLVED (Unanimously)

That in accordance with Rule of Procedure 13, the meeting continue to enable the business on the agenda to be concluded.

The Chair declared the motion **CARRIED**.

398/23 - CONTINUATION OF APPLICATION NO. 18/01242/EIA

It was moved by Councillor David Burton with the replacement wording for No1 Reasons for Refusal as given in the correspondence received after preparation of the agenda, seconded by Councillor Peter Slack and

The Chair informed Members the two Councillors who were late to the meeting were not eligible to vote.

RESOLVED (unanimously)

That planning permission be refused for the reasons set out in section 8.0 of the report with the replacement wording for No1:

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). Page 2 of 7 18/01242/EIA
2. Without any understanding of the final design and construction of the surface water attenuation features proposed to accommodate habitat of very high distinctiveness / principal importance to be translocated, the Local Planning Authority cannot be satisfied that the development would not result in an unacceptable loss of biodiversity. The development is therefore contrary to the requirements of Policies S1, PD3 of the Adopted Derbyshire Dales Local Plan (2017) and paragraph 180 of the National Planning Policy Framework (2023).
3. Insufficient information has been submitted to demonstrate that the surface water attenuation features serving phases 2 - 4 and link road crossing the valley feature can be delivered in a manner that would not result in harm to the character and

appearance of this part of Matlock, contrary to the requirements of Policies S1, S7, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) and Policy contained in the National Planning Policy Framework (2023).

4. 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 Chair declared the motion **CARRIED**.

Meeting Closed: 8.09 pm

Chair