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SPECIAL COUNCIL

Minutes of a Special Council Meeting held on Thursday 8 December 2016 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT Councillor Richard FitzHerbert - In the Chair

Councillors Jason Atkin, Deborah Botham, Jennifer Bower, Martin Burfoot, Sue Burfoot, Albert Catt, David Chapman, Tom Donnelly, Ann Elliott, Graham Elliott, Steve Flitter, Helen Froggatt, Chris Furness, Susan Hobson, Neil Horton, Angus Jenkins, Tony Millward BEM, Tony Morley, Joyce Pawley, Garry Purdy, Irene Ratcliffe, Mike Ratcliffe, Lewis Rose, OBE, Andrew Shirley, Peter Slack, Andrew Statham, Jacquie Stevens and Colin Swindell.

Dorcas Bunton (Chief Executive), Paul Wilson (Corporate Director), Mike Hase (Policy Manager), Jim Fearn (Communications and Marketing Manager), Ian Brailsford (Business Transformation Assistant) and Jackie Cullen (Committee Assistant).

38 members of the public.
2 members of the Press

APOLOGIES

Apologies for absence were received from Councillors Richard Bright, Susan Bull, Phil Chell, Alyson Hill, Vicky Massey-Bloodworth, Jean Monks, Mark Salt, John Tibenham, Philippa Tilbrook and Joanne Wild.

The Chairman advised those present that the meeting was being transmitted live on the internet via YouTube.

293/16 – PUBLIC PARTICIPATION

In accordance with the procedure for public participation agreed for this meeting, the following members of the public addressed the Council:

- Mr Frederick Burgess – Local Resident – commented on lack of increase in area, (including PDNPA) for site allocation and proposed that the Planning Officers should be instructed to make mention of this in the local plan;
- Mr David Elsworth – Local Resident – commented on the Gritstone Road site (HC2 (u)) affecting the highway and traffic flow and its effect on Matlock town centre;

- Mrs Vicki Raynes – Tansley Parish Council - commented on modification M59: reinstatement of Land East of Spout Lane, Tansley and queried firstly why this site had originally been put forward for development and secondly why the owners (Tansley Parish Council) of the field had not been informed of its deletion. Mrs Raynes advised that she had requested information from the Council under the FOI regarding this site.
- Mr John Youatt – Agent for Landowners and Objectors – commented on the lack of modification in provision of Travellers’ sites and the A515 Ashbourne Bypass;
- Cllr. Sandra Spencer – Ashbourne Town Council – made a statement on Ashbourne Town Council’s formal objection to the Policies in the Local Plan with reference to the housing need assessment;
- Mr Jeffrey Phillips – Ashbourne Neighbourhood Plan Steering Group – commented on the sustainability of the Local Plan with regard to infrastructure, and its effect on Ashbourne;
- Mr Paul Siddall – Local Resident – commented on the ‘unsoundness’ of the Local Plan and provision for the Gypsy Community with particular reference to Watery Lane (Ashbourne) and concern over its ecological issues (badgers);
- Mr Jonathan Jenkin – Agent – commented on insufficient site allocation and some proposed sites which were undeliverable/unsustainable. Mr Jenkin queried where the independent assessments of the contaminated quarry sites could be found, and proposed that the Council did not submit the draft Local Plan to the Secretary of State;
- Mr Rob Atkin – Local Resident – commented on Policy PD2 of the Local Plan and advocated an extension of buffer zones to all listed buildings where development was proposed;
- Mrs Julie Atkin – Local Resident – commented on the Local Plan’s effect on the Environment and Global Warming and advised Members of the result of her ‘Bank Road challenge’ which had been taken up by 3 Councillors, to assess the feasibility of residents of the proposed Gritstone Road site accessing the town centre on foot.

294/16 – INTERESTS

Councillor Irene Ratcliffe declared a personal interest in item 4 on the Agenda (Derbyshire Dales Local Plan) in her capacity as Member of Derbyshire County Council and Ward Member for Wirksworth.

Councillor Jason Atkin declared a non-pecuniary interest in site HC2(u) Land off Gritstone Road/Pinewood Road, Matlock, as development on this site would affect two members of his family. Councillor Atkin was not present during discussion or voting on this item.

Councillor Andrew Statham declared a pecuniary interest in site HC2(u) Land off Gritstone Road/ Pinewood Road, Matlock, as his family owned the neighbouring land. Councillor Statham was not present during discussion or voting on this item.

Councillor Tony Millward BEM declared a non-pecuniary interest in Policy HC2(c) Land at Ashbourne Airfield, Ashbourne, as a member of his immediate family lived close to the site.

295/16 – DERBYSHIRE DALES LOCAL PLAN

Councillors Jason Atkin and Andrew Statham left the meeting at 6.48pm and Councillor Angus Jenkins left at 7.40pm during discussion of this item.

Council considered a report on the representations received during the statutory consultation on the Derbyshire Dales Local Plan Pre-Submission Draft held between 11th August and 22nd September 2016. The report also recommended that as a result of the representations a series of minor modifications be made to the Local Plan and that the Derbyshire Dales Local Plan Pre-Submission Draft and the Schedule of Minor Modifications be submitted to the Secretary of State for scrutiny at Examination in Public.

In addressing some of the speakers' concerns, the Corporate Director advised that a separate report would come to Council in due course regarding the Watery Lane site proposed for travellers; and that he would respond to Mrs Raynes' queries on behalf of Tansley Parish Council if she would put them to him in writing. With regard to the Peak Park effect, Members were assured that discussions were on-going with the Peak Park and Councillor Chris Furness's efforts to encourage them to increase their allocation were appreciated.

Members were reminded that following an extensive period of preparation and debate, Council resolved, at a Special Meeting of Council held on 8th August 2016:

“That having regard to the issues set out in Section 2 of the report, Council considers the recommendation of the Local Plan Advisory Committee and determines the contents of the Pre-Submission Draft Derbyshire Dales Local Plan as a viable proposition for public consultation and submission to the Secretary of State.” (Minute 137/16)

Following this resolution a six week period of statutory public consultation was undertaken, the extent of which was set out in the report. It was noted that only those who had made representations on the Derbyshire Dales Local Plan Pre-Submission Draft during the statutory public consultation had the right to be heard at the Examination in Public.

At the end of the statutory public consultation period 799 duly made representations had been received by the District Council. A summary of the representations that had been received and the extent to which they considered the Derbyshire Dales Local Plan Pre-Submission Draft to be sound or legally compliant – including the extent to which the District Council had satisfied the requirements of the Duty to Co-operate in Plan order - was set out in Appendix 1 to the report. Table 1 as set out in Appendix 2 to the report showed the number of representations received by Policy in the Derbyshire Dales Local Plan Pre-Submission Draft. The key areas of contention relating to Table 1 were listed in the report, together with a summary of the main issues raised in the representations received, as summarised below:

- the Objectively Assessed Need for Housing
- the Settlement Hierarchy

- the Duty to Co-operate and Evidence Base
- development inside/outside of Settlement Development Boundaries
- the provision of infrastructure
- traffic and transportation
- allocation of land for housing at Normanhurst Park, Darley Dale, Cawdor Quarry, Matlock and Middlepeak Quarry, Wirksworth

These concerns, together with Officer responses in respect of each category, were set out in the report.

Following a detailed assessment of each of the 799 representations in plan order along with Officer Recommendations for each one, as set out in Appendix 3 to the report, it was recommended that a series of 61 minor modifications be approved to the Derbyshire Dales Local Plan Pre-Submission Draft. The proposed Schedule of Modifications was set out in Appendix 4 to the report and it was noted that as minor modifications they did not have to be subject to any further public consultation and could, therefore, be submitted to the Secretary of State, together with the Derbyshire Dales Local Plan Pre-Submission Draft.

It was considered that, subject to Member approval of the Schedule of Modifications set out in Appendix 4 to the report, the Derbyshire Dales Local Plan Pre-Submission Draft was now ready for submission to the Secretary of State, and to be subject to Examination in Public. As such it was recommended that Derbyshire Dales Local Plan Pre-Submission Draft and Schedule of Modifications be submitted to the Secretary of State for scrutiny at Examination in Public. Members were advised that any further delay to the submission of the Derbyshire Dales Local Plan also needed to be considered against the Government's clearly stated objective of ensuring that Local Planning Authorities submitted a Local Plan for examination by March 2017 and the potential sanctions that could be imposed if this objective was not met, as set out in the report.

Councillor Irene Ratcliffe requested a recorded vote; this was seconded by Councillor Peter Slack.

It was moved by Councillor Lewis Rose OBE seconded by Councillor Albert Catt and

RESOLVED

1. That Council approve the Schedule of Minor Modifications as set out in Appendix 4 to the report;
2. That the Derbyshire Dales Local Plan Pre-Submission Draft and Schedule of Minor Modifications be submitted to the Secretary of State for scrutiny at Examination in Public.

Voting:

For

Councillors Jennifer Bower, Albert Catt, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Helen Froggatt, Chris Furness, Susan Hobson, Neil Horton, Tony Millward BEM, Tony Morley, Joyce Pawley, Garry Purdy, Irene Ratcliffe, Mike Ratcliffe, Lewis Rose OBE, Andrew Shirley, Peter Slack and Jacquie Stevens (20)

Against

Councillors Deborah Botham, Martin Burfoot, Sue Burfoot, Ann Elliott, Steve Flitter and Colin Swindell (6)

Abstentions (0)

The Chairman declared the motion carried.

MEETING CLOSED 7.59PM

CHAIRMAN