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## **COUNCIL**

**Minutes of a Special Council Meeting held on Wednesday 16 March 2016 in the Council Chamber, Town Hall, Matlock at 6.00 pm.**

### **PRESENT**

Councillor Richard FitzHerbert - In the Chair

Councillors Jason Atkin, Deborah Botham, Martin Burfoot, Sue Burfoot, Albert Catt, David Chapman, Tom Donnelly, Ann Elliott, Graham Elliott, Steve Flitter, Chris Furness, Alyson Hill, Susan Hobson, Angus Jenkins, Tony Millward BEM, Tony Morley, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Lewis Rose OBE, Mark Salt, Andrew Shirley, Jacquie Stevens, Colin Swindell, John Tibenham, Philippa Tilbrook and Joanne Wild.

Dorcas Bunton (Chief Executive), Sandra Lamb (Head of Corporate Services), Paul Wilson (Corporate Director), Mike Hase (Planning Policy Manager), Jim Fearn (Communications and Marketing Manager) and Jackie Cullen (Committee Assistant).

76 members of the public.

### **APOLOGIES**

Apologies for absence were received from Councillors Jennifer Bower, Sue Bull, Helen Froggatt, Vicky Massey, Jean Monks, Irene Ratcliffe, Peter Slack and Andrew Statham.

A minute's silence was observed in memory of the late Susan Slack, wife of Councillor Peter Slack.

The Chairman advised those present that a video link had been set up in the adjacent Committee Room for additional members of the public, and that the meeting was being recorded.

### **349/15 – PUBLIC PARTICIPATION**

In accordance with the procedure for public participation, the following members of the public addressed the meeting and spoke against the sites specified:

#### **Site HC2 (e) – Land to North of A52, Brailsford**

- Mrs Pat Laughlin – Chairman of Parish Council – overdevelopment of village
- Mr Michael Cannon – Resident – traffic and infrastructure concerns

**Site: HC2 (f) – Land to North of Main Road, Brailsford.**

- Mrs Susan Walker – Resident – poor access and flawed site

**Site: HC2 (g) – Land off Luke Lane, Brailsford**

- Mr Simon Thompson – Parish Councillor – constitutes urban sprawl

**Site: HC2 (h) – Land off Luke Lane & Mercaston Lane, Brailsford**

- Mr Hugh Stevenson – Parish Councillor – traffic concerns and intrusion into countryside
- Ms Miranda Holmes – Resident – detrimental to integrity and character of village

**Site: HC2 (v) – Land off Gritstone Road / Pinewood Road, Matlock.**

- Mr Peter Wild – Resident – exposed location; visually detrimental/intrusion into landscape; highway safety concerns re access

**Site HC2 (aa) – Land at Snitterton Fields, West of Cawdor Quarry, South Darley**

- Tony Symes – Parish Councillor – settlement pattern would mean Snitterton & Oker were no longer separate from Matlock; proximity to PDNP

**Site: HC2 (cc) – Land at Thatcher’s Croft, Tansley.**

- Mrs Vicky Raynes – Tansley Parish Council – transport statement required; infrastructure concerns; requested protection of dry stone walls

**Site: HC2 (ff) – Land at Middle Peak Quarry, Wirksworth**

- Mr Frederick Burgess – Local Resident / Chartered Surveyor – recommended inclusion of site in lieu of Cavendish Fields

**General Comment on impact of Local Plan - Brailsford**

- Mr Tim Tayler – Resident – queried population figures used; recommended use of local businesses in local developments

**350/15 – INTERESTS**

Councillor Tony Millward declared a pecuniary interest in all items relating to Ashbourne Airfield, as a member of his immediate family lived on the edge of the application site. Having declared his interested, Councillor Millward remained in the meeting and participated in debate. The subject of his interest was not discussed by the Council.

**351/15 – DERBYSHIRE DALES LOCAL PLAN – DRAFT PLAN FOR CONSULTATION**

Council considered a report that summarised the extent of work overseen by the Local Plan Advisory Committee in respect of the preparation of a Revised Derbyshire Dales Local Plan. It also set out for Members’ consideration the contents of a Derbyshire Dales Draft Local Plan, and sought approval for a six week period of public consultation Derbyshire Dales Draft Local Plan.

A compilation of representations received from local residents was attached to the Agenda, and a schedule of late representations was distributed at the meeting.

Since the withdrawal of the Derbyshire Dales Local Plan from the Examination in Public (Minute 142/14), a review of the evidence base, and the preparation of a revised Derbyshire Dales Local Plan had been on-going, overseen by the Local Plan Advisory Committee.

Taking account of the resolutions of the Local Plan Advisory Committee, a Derbyshire Dales Draft Local Plan had been prepared, and was set out in Appendix 1 to the report. The proposed changes to the Policies Map that supported the Draft Plan were set out in Appendix 2 to the report.

It was noted that since the draft policies and proposals were considered by the Local Plan Advisory Committee on 11<sup>th</sup> February 2016, a number of changes had been made to ensure that they reflected the latest guidance and took account of subsequent provisional allocations considered at the meeting of the Local Plan Advisory Committee on 29<sup>th</sup> February 2016. This included Policy S6 which set the housing target at 6,015 dwellings for the period up to 2033.

A list of policies that had been subject to amendment since the Local Plan Advisory Committee on 11<sup>th</sup> February 2016 was set out in the report and Members were asked to note the new policy on the provision of affordable housing (Policy HC4) that took account of the recommendations made in the Infrastructure, Viability and Community Infrastructure Levy Study which indicated that in order to safeguard the future introduction of the Community Infrastructure Levy the level of affordable housing sought as part of new residential developments should be reduced to 30%.

At the time of writing the report the Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) of the policies and proposals in the Derbyshire Dales Draft Local Plan had yet to be finalised. However, Members were informed that the updating report was assimilated within the main body of the report, and as such the Recommendations were up to date.

The District Council had a statutory requirement under the terms of the Planning and Compulsory Purchase Act 2004, to prepare a Statement of Community Involvement (SCI), the purpose of which was explained in the report. The revised SCI identified different methods the District Council would adopt to ensure that as wide a range as possible of the community and stakeholders were engaged in the planning process. These methods were listed in the report. It was recommended that consultation on the Derbyshire Dales Draft Local Plan run for a six-week period from 7<sup>th</sup> April 2016 to 19<sup>th</sup> May 2016, as tabled below:

| Date   | Events  |   |
|--|---|---|
| 7 <sup>th</sup> April to 14 <sup>th</sup> April  | Exhibition Wirksworth Leisure Centre Reception Area – Manned by Officers 2pm to 6pm 11 <sup>th</sup> April 2016   | Monday 11 <sup>th</sup> April 2016; Public Meeting Minor Hall, Wirksworth Leisure Centre 7pm-9pm    |
| 14 <sup>th</sup> April to 21 <sup>st</sup> April | Exhibition Ashbourne Leisure Centre Reception Area – Manned by Officers 1pm to 5.30pm 19 <sup>th</sup> April 2016 | Tuesday 19 <sup>th</sup> April 2016; Public Meeting, Elim Church, Waterside Park, Ashbourne 7pm-9pm |
| 21 <sup>st</sup> April to 28 <sup>th</sup> April | Exhibition Imperial Rooms, Reception Area – Manned by Officers 1pm to 5.30pm 25 <sup>th</sup> April 2016          | Monday 25 <sup>th</sup> April 2016; Public Meeting, Sports Hall Highfield School, Matlock 7pm -9pm  |
| 13 <sup>th</sup> April 2016                      | Parish Council Workshop, Matlock Town Hall 7pm -9pm   |   |

Respondents to the consultation would be encouraged to adopt a 'digital by default' approach whereby all comments should be submitted online through the District Council's website. This would enable Officers to analyse the responses in a more effective and efficient manner in order to maintain progress on the preparation of the plan in accordance with the agreed timetable.

It was then proposed by Councillor Jacquie Stevens and seconded by Councillor Martin Burfoot that **Site HC2 (v) – Land off Gritstone Road / Pinewood Road, Matlock** be debated with regard to extraction from the Draft Local Plan;

It was proposed by Councillor Jacquie Stevens and seconded by Councillor Steve Flitter that **Site HC2 (dd) – Land at Tansley House Gardens, Tansley** be debated with regard to extraction from the Draft Local Plan;

It was proposed by Councillor Colin Swindell and seconded by Councillor Sue Burfoot that **Site HC2 (aa) – Land at Snitterton Fields, West of Cawdor Quarry, South Darley** be debated with regard to extraction from the Draft Local Plan;

It was proposed by Councillor Angus Jenkins and seconded by Councillor Colin Swindell that **Site HC2 (f) – Land to North of Main Road, Brailsford** be debated with regard to extraction from the Draft Local Plan.

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

**RESOLVED**

1. That Council approve the contents of the Derbyshire Dales Draft Local Plan as set out in Appendices 1 and 2 to this report, with the exception of the four sites put forward so far for extraction;
2. That the consultation proposals as set out in Section 3 of the report be approved;
3. That the outcome of the public consultation be reported to a future meeting of the Local Plan Advisory Committee

**Voting:**

|                    |    |
|--------------------|----|
| <b>For</b>         | 25 |
| <b>Against</b>     | 0  |
| <b>Abstentions</b> | 3  |

**Site HC2 (v) – Land off Gritstone Road / Pinewood Road, Matlock**

Councillor Jacquie Stevens proposed this site for extraction, stating that it would have a detrimental effect on the Pinewood Road and Gritstone Road areas and the town as a whole. The site was currently utilised as farmland, and development would constitute an extension into the countryside. Concern was raised over the disproportionate and unsustainable number of houses envisaged; the access problems onto the Chesterfield road, numerous springs and proven flood risk, as well as lack of infrastructure - in particular, medical facilities.

The Corporate Director reminded Members that objections would have to be evidence based; and that no statutory consultees had presented objections. He acknowledged that all 33 sites put forward would require some degree of infrastructure improvements.

Councillor Andrew Shirley requested a recorded vote, seconded by Councillor Garry Purdy.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Martin Burfoot and

**RESOLVED** That Site HC2(v) – Land off Gritstone Road / Pinewood Road, Matlock be extracted from the Draft Local Plan

**Voting:**

**For** Councillors Deborah Botham, Martin Burfoot, Sue Burfoot, Ann Elliott, Steve Flitter, Chris Furness, Jacquie Stevens, Colin Swindell (8)

**Against** Councillors Jason Atkin, Albert Catt, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Alyson Hill, Susan Hobson, Angus Jenkins, Tony Millward BEM, Tony Morley, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Lewis Rose OBE, Mark Salt, Andrew Shirley, John Tibenham, Philippa Tilbrook and Joanne Wild (20)

**Abstentions** (0)

The Chairman declared the motion LOST.

It was then moved by Councillor Lewis Rose, OBE, seconded by Councillor Joanne Wild and

**RESOLVED** That Site HC2(v) – Land off Gritstone Road / Pinewood Road, Matlock be formally reinstated for inclusion of Draft Local Plan

**Voting:**

**For** 20

**Against** 8

**Abstentions** 0

### **325/15 – MOTION TO CONTINUE**

It was moved by Councillor Tony Millward BEM, seconded by Councillor Jason Atkin and

**RESOLVED** That, in accordance with Rule of Procedure 13, the meeting continue beyond 2 ½ hours to enable the business on the agenda to be concluded.  
(Unanimously)

The meeting adjourned for 5 minutes at this point.

### **Site HC2 (dd) – Land at Tansley House Gardens, Tansley**

Councillor Jacquie Stevens proposed this site for extraction due to its proximity to the conservation boundary; the impact it would have on Lumsdale Conservation Area and Scheduled Monument site; lack of village amenities, and potential access implications along Church Road. Councillor Stevens also referred to the Inspector's appeal report dated 22 January 2015, which stated that the buffer zone had been identified as significantly important. The site at Whitelea Nursery was proposed as an alternative, for which access issues had now been resolved.

In addressing these points, the Corporate Director advised Members that a smaller buffer zone was deemed acceptable by the Officers; and that access issues had already been approved through Tansley House Gardens. The alternative site put forward could potentially be proposed during the consultation process.

Councillor Andrew Shirley requested a recorded vote, seconded by Councillor Albert Catt.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Steve Flitter and

**RESOLVED** That Site HC2(dd) – Land at Tansley House Gardens, Tansley, be extracted from the Draft Local Plan

**Voting:**

**For** Councillors Deborah Botham, Martin Burfoot, Sue Burfoot, Ann Elliott, Steve Flitter, Chris Furness, Angus Jenkins, Joyce Pawley, Jacquie Stevens and Colin Swindell (10)

**Against** Councillors Jason Atkin, Albert Catt, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Alyson Hill, Susan Hobson, Tony Millward BEM, Tony Morley, Garry Purdy, Mike Ratcliffe, Lewis Rose OBE, Mark Salt, Andrew Shirley, John Tibenham, Philippa Tilbrook and Joanne Wild (18)

**Abstentions** (0)

The Chairman declared the motion LOST.

It was then moved by Councillor Lewis Rose, OBE, seconded by Councillor Jason Atkin and

**RESOLVED** That Site HC2(dd) – Land at Tansley House Gardens, Tansley, be formally reinstated for inclusion of Draft Local Plan

**Voting:**

**For** 18  
**Against** 10  
**Abstentions** 0

**Site HC2(aa) – Land at Snitterton Fields, West of Cawdor Quarry, South Darley**

Councillor Colin Swindell proposed this site for extraction as development would be detrimental to the existing character of the settlement. It was a greenfield site on the edge of the Peak Park, with a brook at the top, creating a flood risk. Development of this site would constitute urban sprawl and it was considered that Snitterton and Oker would lose their village identities. Transport links were incorrectly stated in the report.

Members were advised that this site was not one of the protected fields listed under Policy S8.

Councillor Andrew Shirley requested a recorded vote, seconded by Councillor Jason Atkin.

It was moved by Councillor Colin Swindell, seconded by Councillor Sue Burfoot and

**RESOLVED** That Site HC2(aa) – Land at Snitterton Fields, West of Cawdor Quarry, South Darley be extracted from the Draft Local Plan

**Voting:**

**For** Councillors Deborah Botham, Martin Burfoot, Sue Burfoot, Ann Elliott, Steve Flitter, Chris Furness, Angus Jenkins, Mark Salt and Colin Swindell (9)

**Against** Councillors Jason Atkin, Albert Catt, David Chapman, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Alyson Hill, Susan Hobson, Tony Millward BEM, Tony Morley, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Lewis Rose OBE, Andrew Shirley, Jacquie Stevens, John Tibenham, Philippa Tilbrook and Joanne Wild (19)

**Abstentions** (0)

The Chairman declared the motion LOST

It was then moved by Councillor Lewis Rose, OBE, seconded by Councillor Jason Atkin and

**RESOLVED** That Site HC2(aa) – Land at Snitterton Fields, West of Cawdor Quarry, South Darley be formally reinstated for inclusion of Draft

**Voting:** Local Plan

**For** 19

**Against** 9

**Abstentions** 0

### **Site HC2(f) – Land to North of Main Road, Brailsford**

Councillor Angus Jenkins proposed this site for extraction as it was declared one of high sensitivity in the Wardell Armstrong report and development would disturb the tipping point of the village. It was suggested that smaller numbers of developments were distributed throughout the outlying villages, as this development would double the number of houses in the village, and as such was disproportionate.

Members were advised that the settlement hierarchy sought to identify those villages with the most facilities and services to cater for specific levels of development, and that the tipping point of this village had not been exceeded.

Councillor Andrew Shirley requested a recorded vote, seconded by Councillor Tom Donnelly.

It was moved by Councillor Angus Jenkins, seconded by Councillor Colin Swindell and

**RESOLVED** That Site HC2(f) – Land to North of Main Road, Brailsford be extracted from the Draft Local Plan

**Voting:**

**For** Councillors Martin Burfoot, Sue Burfoot, Steve Flitter, Chris Furness, Angus Jenkins and Colin Swindell (6)

**Against** Councillors Jason Atkin, Deborah Botham, Albert Catt, David Chapman, Tom Donnelly, Ann Elliott, Graham Elliott, Richard FitzHerbert, Alyson Hill, Susan Hobson, Tony Millward BEM, Tony Morley, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Lewis Rose OBE, Mark Salt, Andrew Shirley, Jacquie Stevens, John Tibenham, Philippa Tilbrook and Joanne Wild (22)

**Abstentions** (0)

The Chairman declared the motion LOST

It was then moved by Councillor Lewis Rose, OBE, seconded by Councillor Garry Purdy and

**RESOLVED** That Site HC2(f) – Land to North of Main Road, Brailsford be formally reinstated for inclusion of Draft Local Plan

**Voting:**

**For** 22

**Against** 6

**Abstentions** 0

**352/15 - DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT**

Council considered a report that outlined the extent of consultation undertaken in respect of the Draft Statement of Community Involvement (SCI). It advised Members that no responses were received during the consultation period and as such it was recommended that Members adopt the SCI with immediate effect.

The District Council had a statutory requirement under the terms of the Planning and Compulsory Purchase Act 2004 to prepare an SCI, the purpose of which was set out in the report.

Public consultation was undertaken on the SCI for six weeks from the 5<sup>th</sup> November 2015 to the 17<sup>th</sup> December 2015 during which period no representations were received. On this basis it was considered that no subsequent changes to the SCI were required. Furthermore the SCI as set out in Appendix 1 to the report was recommended for adoption and to be brought into use with immediate effect.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Colin Swindell and

**RESOLVED** That the SCI set out in Appendix 1 is adopted and brought into use  
(unanimously) with immediate effect.

**MEETING CLOSED 9.26PM**

**CHAIRMAN**