

To the Inspector

Sir,

Watery Lane. Session 6 Matter 6

edition 2 please delete earlier edition

Background note to Mr McElvaney's letter

My earlier statement recorded the position of the DCC on the allocation of this site for travellers and the flawed approval for 4 pitches (see statements by me and local community). As Paul Wilson said on Tuesday, no site can be allocated without a SHLAA. As far as I know there is none for that site.

The former County Council had agreed that the site should be allocated, but no lease has been agreed.

On 5th May Cllr Spencer was re-elected. DCC is now controlled by the Conservatives. DCC has now written to you.

I emailed Cllr Spencer a copy of my statement again on 5th May and invited his comment.

Cllr Spencer phoned me on 7th May, we spoke at length. He has been involved in meetings to set up the new DCC administration.

He told me he is Deputy Leader-elect and Cabinet Member for Highways-elect in the new administration.

Procedurally, no review of the outgoing Council's decisions is possible before the first meeting of the new Council on 24th May.

He supports the Local Plan - it must be completed this time for the stability of the district and his Division, Dovedale (also my Division, he is my Cllr). That requires adequate 5 year provision for travellers.

He confirmed that he is dedicated to the relief of traffic in Ashbourne centre, primarily by the creation of the A515 bypass. He still believes that the allocation of DCC land at Watery Lane for homes for travellers is inappropriate, because the land is on or close to the lines for the bypass. (He is not opposed to provision for travellers generally - DCC has fully cooperated with due process) We also note there might be other infrastructure needs on the site. And there's the badgers...

He fears that the creation of a site for travellers would create human rights, legal and compensation issues.

Sir,

My clients are under extreme stress and might shortly make a claim of abuse of their human rights. It would assist them if the Council would abandon its proposal at Watery Lane now, at this Examination.

It would then be helpful to all parties for the LPA to issue a pre-application advice in favour of an application to extend the existing permission at Homesford, from 3 units to 9 and as a permanent permission. (See Mr Yarwood's assessment). The LPA's reserve position for that is on the Appeal file.

Thus the Plan could meet the recorded need permanently and economically for the full plan period and thus comply with national guidance.

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