

PLANNING COMMITTEE 12TH OCTOBER 2021
CORRESPONDENCE RECEIVED AFTER PREPARATION OF THE AGENDA

**ITEM 5.4 - PROPOSED EXTENSION TO C-BAYS BUILDING TO ACCOMMODATE
RELOCATED EQUIPMENT (MODIFICATIONS TO EXTENSION
PREVIOUSLY APPROVED UNDER PLANNING PERMISSION
18/00919/FUL) AT DARLEY DALE SMELTER, OLDFIELD LANE,
WARREN CARR.**

Stanton in Peak Parish Council raised concerns regarding the lack of an EIA, how the 2018 was dealt with and lack of consultation with them.

RESPONSE:

A detailed response was sent to the Parish on the 6th October 2021. This response outlined the EIA assessment carried out for both the 2018 and current application stating that “application 20/00500/FUL seeks a larger building only in height terms with the footprint / floorspace and use remaining the same as that previously approved. Although this application has been screened and assessed on its individual merits, the same conclusion has been reached in relation to it not constituting Environmental Impact Assessment development”. This response also confirms the parish were consulted on this application.

Mr Mark Hopkinson sent the following message on the 6th October 2021.

I would like to register a complaint about this application and how the cumulative developments to the site are assessed and managed. Specifically, the committee report published on 6th Sept has been changed significantly after the consultation period closed. It was originally published on 3rd Sept, and the reasons for the development have been amended to address feedback from the community and to apparently help Enthovens get this passed.

If you review previous planning on the site, there has been a significant lack of due diligence from the planning department and other agencies. This site is located next to a residential area, and is overlooked by another. There has been no assessment of the impact of increased noise, light or HGV movements for this site as far back as I can see. It seems to me like the council will pass anything Enthovens propose without any consideration for the community and the environment. We need a transparent process with involvement from the community and a stop to these tactics of amending reports behind closed doors. I propose that you delay a decision on this application until the cumulative impact of the development to the site has been appropriately assessed.

RESPONSE:

The application was withdrawn from the last agenda due to an administration error. The committee report to be considered at the planning committee on Tuesday 12th October is on the website as is the EIA screening opinion which considered the likely environmental impacts of the development and the need for an Environmental Statement. This application in 2018 was also screened under the Environmental Impact Assessment Regulations (2017).

ITEM 5.5 - ERECTION OF DWELLING HOUSE (REVISIONS TO DESIGN APPROVED UNDER PLANNING PERMISSIONS 16/00941/OUT AND 19/01050/REM) AT PLOT 3 PUMP CLOSE, STARKHOLMES

Mr M Buckler wishes to object to the above retrospective planning application as the Ward Councillor for Matlock Town Council which has been placed for an extension to Plot 3.

The oak tree in the south east corner of the plot is affected by the actual development. The plan shows a root protection area radius of 9.6 m but, calculated as 12 x the trunk diameter (0.9 m as per the applicant's arboricultural survey), this should be 10.8 m. The footprint of the extension extends into this 10.8 m radius.

I understand that the developer has in fact built the larger footprint already and is effectively seeking retrospective permission. If the application initially extended into the root protection plate, it is likely to have required mitigation to protect the tree and/ or planning consent refused.

RESPONSE:

Sections 5.5 and 7.8 of the committee report relate to the Oak tree and the assessment by the DDCC Tree and Landscape Officer.

Sarah Parkin wrote the following on the 4th October 2021.

The TPA has been encroached upon and nothing is done. A veteran tree needs at least the minimum x12 girth which is 10.8. Below indicates that the roots are being encroached - including 1m deep footings plus a new planning application being added to extend development into the lower area calculations of 9.6. Not only has a hedge been lost but it seems tree protection is neglected too. In the words of a well-respected naturalist 'it seems the tree protection officer needs a new job title'. Note I am still waiting for flood and water retention on site plans. Please also ask these questions at the planning committee.

RESPONSE:

Sections 5.5 and 7.8 of the committee report relate to the Oak tree and the assessment by the DDCC Tree and Landscape Officer. Condition 10 of permission 16/00941/OUT relating to drainage has been discharged. The details submitted were considered to be acceptable following consultation with the Lead Local Flood Authority and Derbyshire Wildlife Trust.