



Ripley Town Council

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MINUTES of JULY 24TH 2020 VIRTUAL MEETING of the RIPLEY TOWN COUNCIL PLANNING COMMITTEE

Held at 5.00 pm under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Present: Cllr S. Freeborn (Chair) and Cllrs L. Cox, T. Holmes, N. Weaving and D. Williams.
In Attendance: L. McCormick (Clerk) and D. Townsend (Planning Clerk).

240720/1 To Receive Apologies for Absence – None..

240720/2 Variation of Order of Business – None.

240720/3 Declarations of Members Interests

Cllrs Freeborn and Williams declared personal interests in Minute Number 240720/5 (AVA/2019/0697) as Members of Butterley Ironworks Trust, and did not participate in the debate or vote on this matter.
Cllr Cox declared a personal interest in Minute Number 240720/5 (AVA/2020/0188) as a Member of Derbyshire Wildlife Trust and did not participate in the debate or vote on this matter.

240720/4 Public Speaking

Cllr Freeborn circulated a report on AVA/2019/0697 and asked that members supported this document.

17.07 Cllr Williams joined the Meeting.

240720/5 To discuss current Planning Matters and make comments.

AVA/2020/0188 - Land Off Holborn View Codnor Ripley Derbyshire, Erection of 58 dwellings and associated infrastructure and demolition of garages.

RESOLVED that Ripley Town Council has previously objected to this application and wish to make a further submission having considered new information about flooding and open spaces issues, as per the report attached to the Minutes at Annexe A). A copy of this response to also be forwarded to the flooding authority.

RESOLVED that Cllr Holmes take the Chair.

AVA/2019/0697 - Former Butterley Iron Works Coach Road Butterley Park Ripley Derbyshire Hybrid planning application; Outline planning application with all matters except access reserved for residential development of up to 80 dwellings and associated infrastructure and change of use of retained buildings to mixed uses of A1, A3, A4, B8, C2, and D2 and ancillary works.

RESOLVED that Ripley Town Council has previously objected to this application and wish to make a further submission having considered new information about the heritage features of this site and financing of the on-going maintenance of heritage features as per the report attached to the Minutes at Annexe A).

Cllrs Freeborn and William did not take part in the debate or vote on this item.

The Meeting closed at 5.20 pm.

RIPLEY TOWN COUNCIL
BHIB AWARD WINNER FOR DERBYSHIRE COUNCIL OF THE YEAR 2018
BHIB HIGHLY COMMENDED FOR DERBYSHIRE COUNCIL OF THE YEAR 2019

ANNEXE A - Minutes Planning Meeting 24th July 2020

RIPLEY TOWN COUNCIL RESPONSE TO; AVA/2020/0188 (Land Off Holborn View, Codnor, Ripley, Derbyshire)

Further consideration in light of new information in respect of flooding and open-space issues.

Ripley Town Council (RTC) has previously objected to the Application above and is making this further submission having considered new and / or additional information about flooding and open-space issues that recently came into the public domain.

Open-space

A fundamental tenet of RTC's objections to the Application is the loss of Local Green Space that would result from an approval. RTC notes that the Derbyshire Wildlife Trust made a further submission on 1st July 2020 in response to a request from AVBC. The DWT letter states:

"The Trust provided comments on the application in correspondence dated 14th April 2020. We are not aware of any further submitted information that resolves the issues raised in this previous consultation response.

The inclusion of the woodland area to the north within the application boundary does not suitably compensate for the loss of the open grassed area which was proposed to be retained and enhanced under an approved Landscape and Ecological Management Plan and, as such, would result in a net loss of biodiversity contrary to the environmental dimension of sustainable development as set out in the National Planning Policy Framework."

In RTC's view, the DWT response provides further clear evidence of the paucity of the Applicant's assertions seeking to justify the loss of a Local Green Space (which is, to all intents and purposes, Green Belt).

Flooding issues

Serious concerns about flooding problems caused by the Applicant's previous development (AVA/2012/0965) have been cited by RTC in its opposition to AVA/2020/0188. Aspects of the Lead Local Flood Authority's (LLFA) latest consultation responses echo elements of RTC's concerns, and their emails to AVBC dated 16th and 25th June 2020 raise a number of issues.

The LLFA email of 16th June states:

"Regarding the document PJS Consulting Engineers (February 2020) Flood Risk Assessment, Ref PJS19-18-FRA-01, Update B;

- *There appear to be a number of references to different sites, for example in paragraphs 2.13 - 2.18, 3.5 and 4.17. Please review the document to rectify this.*
- *Please include an indication of the condition of the watercourse to ensure that it can receive and convey the flows from the development effectively.*
- *Paragraph 4.25 suggests that source control SuDS methods are not suitable due to the sloping nature of the site. The LLFA would like to see SuDS methods used wherever possible. Are there any parts of the site where permeable paving would be possible in private driveways or have small rain gardens been considered?*

RTC comments on the above three bullet points are:

- The references to other locations show that a systematic use of “cut and paste” composition techniques has taken place, undermining the professionalism of the authors document. This gives rise to RTC doubting the credibility and reliability of the engineer’s flood risk assessment, and to the Applicant’s quality control procedures.
- RTC has sought to demonstrate that the existing watercourse is already at capacity, and that it is also set to receive additional waters from one side of the Coppice Farm development. Further information has come to light, namely that the run-off water from an unknown length of Nottingham Road drains into the watercourse (through an outfall on the property at 29 Eastfield Road). RTC notes the recent 30 year study by the Meteorological Office which has shown that monsoon like rainfall – such as that experienced in February this year (over twice the monthly average rainfall falling in 24 hours) – will be a frequent event, rather than being a 1 in a 100 year occurrence. The strain on existing drainage systems and watercourses is going to increase significantly and the watercourse in question here simply cannot cope with another housing development’s surface water.
- The suggestion that permeable paving and / or rain gardens be utilised is welcomed.

The LLFA email of 25th June states:

“In the north east of the site adjacent to the watercourse and close to the proposed location of the attenuation basins, there is currently an area of marshy ground. This is shown on the drawing Annotated Site Plan (Figure 32113/02), which forms Appendix 2 of the report GeoDyne Limited (23rd July 2012) Codnor Common Farm Application II Site Codnor Phase 1 Desk Study For Pevevil Homes Limited. The LLFA is concerned that this marshy ground appears to be removed in the proposed site plans, for example in drawing Soft Landscape Proposals GL1235 03.

“Because this marshy ground has a role in slowing down the flow of water along the watercourse, the LLFA requires that this area is either retained or compensated for. In addition, the LLFA would request consideration of further measures to manage the watercourse sympathetically in order to mitigate the flood risk to properties downstream.”

RTC wish to point out that one of the sites two marshy areas has already been lost to the new housing development (AVA/2012/0965); groundworks raised the levels significantly and an attenuation basin – which is never wet! – was constructed there. The second marshy area to which the LLFA is referring is larger than the one lost already, and RTC consider it is imperative that AVBC and the LLFA to put considerable pressure on the Applicant to undertake significant “measures to manage the watercourse sympathetically in order to mitigate the flood risk to properties downstream” (were the Application approved).

ANNEXE A - Minutes Planning Meeting 24th July 2020

RIPLEY TOWN COUNCIL RESPONSE TO; AVA/2019/0697 (Former Butterley Iron Works, Coach Road, Butterley Park, Ripley)

Further consideration in light of new information about heritage features and the financing of the on-going maintenance of heritage features.

Ripley Town Council (RTC) has previously objected to the Application above and is making this further submission having considered new and / or additional information about the heritage features of the site, and also the financing of the on-going maintenance of heritage features, that recently came into the public domain.

Heritage features

Ripley and District Heritage Society has recently informed RTC about new information that has come to light in respect of the early blast furnaces that were situated at the former Ironworks site. An external expert has confirmed the location of a furnace in the short elevation of the Blast Wall (a Scheduled Ancient Monument) that sits outside the line of the current galvanised fencing. The furnace would have been constructed before 1835 as it is shown on an old map of that date that has been found. (See the four documents attached.)

The Application proposals show a car park being constructed immediately in front of and alongside the location of this furnace. RTC consider:

1. The new information is further evidence of the inappropriate development proposed by the Applicant, particularly in respect of highway access issues.
2. A detailed archaeological investigation of the location of the newly identified furnace (together with the rest of the Blast Wall) should be carried out by parties who are independent from the Applicant; and
3. The on-going maintenance of this 'new' heritage feature must be ensured by the Planning Authority.

Financing of the on-going maintenance of the Heritage features

RTC has made clear in previous submissions the central importance of seeking a financially self-sustaining future for all the heritage features of the whole site. RTC has also made it clear previously that it is gravely concerned that a large proportion of the site – virtually the entire eastern side (which includes the Blast Wall and other key features such as the pond) – falls outside the formal “red-line” Application site. Because of this approach towards seeking a planning approval, and because of the blatant disregard of the site since its purchase, RTC has little doubt that the Applicants intention is to seek to ‘gift’ the eastern part of the site to a public sector or charitable body.

The Planning Officers and Planning Authority are asked to take full account of the future maintenance needs of the eastern part of the site, whilst also fully recognising that neither the County or Borough Councils would appear to be able to accept any future unfunded obligations. Evidence for this is provided by press releases and media reports made by those bodies describing alarming funding crises.

RTC notes that the Applicant appears to have been unwilling to engage meaningfully with the Butterley Ironworks Trust (BIT). RTC would encourage the Applicant to engage with both itself and BIT to seek a financially self-sustaining future for all the heritage features of the site.