

ETWALL PARISH COUNCIL

**MINUTES OF A SPECIAL MEETING OF ETWALL PARISH COUNCIL  
HELD ON MONDAY 8<sup>TH</sup> JUNE 2015**

Present: Cllr R Warburton (Chair) Cllr T Owen  
Cllr M Adcock Cllr J Patten  
Cllr I Bennett Cllr B Payton  
Cllr N Ireland Cllr V Roe  
Cllr D Neal Cllr H Ritchie-Smith  
Cllr D Muller

In attendance: Dr R Wickham – Providence Land Ltd  
Jonathan Harbottle – Providence Land Ltd  
District Cllr Brown and approx. 100 members of the public

**1 Apologies for Absence**

**2 Declaration of Interests** – All Members of Etwall Parish Council attending the meeting, being automatically Trustees of the Frank Wickham Hall Charity, declared an interest.

**3 Outline Planning Application (with all matters reserved) for the development of up to 99 dwellings, public open space, drainage and highways infrastructure at land at SK 2731 3037 Willington Road, Etwall (Phase 2)**

Before the discussion began on the above planning application, the Chairman outlined the various planning applications and the stages at which they were at to try to clarify the current situation:-

- (a) Willington Road (Phase 1) – Developer Bloor Homes – Up to 99 dwellings – Planning permission has been granted in outline and a detailed planning application was awaited. This development was in the Local Plan Part 1.
- (b) Etwall Gate – Developer Gainsborough Properties – 52 dwellings, a residential care home, community hub – Outline planning application has been made but the outcome was not yet known. This development was not in the Local Plan Part 1.
- (c) Willington Road (Phase 2) – Developer Bloor Homes – Up to 99 dwellings – Outline planning permission has been applied for and comments on this application had to be sent to South Derbyshire District Council by 19<sup>th</sup> June. This development is not in the Local Plan Part 1.
- (d) Land west of Egginton Road (near sewage works) – Developer Taylor Wimpey - Up to 120 dwellings - Public consultation event took place on 8<sup>th</sup> June. Planning application not yet submitted. This development is not in the Local Plan Part 1.
- (e) Land off Egginton Road – This was to be the subject to the next item on the agenda.

**4 Public Speaking**

The following questions/comments were made:-

**Q1:** A planning application for 300 dwellings on this site was turned down on appeal in the past with the Inspector stating that the proposed dwellings would not sit comfortably with the scale and pattern of the existing settlement. What changes have taken place since then?

**A:** The introduction of the new Planning Framework which aimed to simplify planning law has changed the system together with a shortage of housing. The Local Plan identified Willington Road

as a site for the development of 100 dwellings only. Until the Local Plan had been approved the area was open to speculative development. SDDC had a duty of care to co-operate with Amber Valley District Council and Derby City Council and Amber Valley had taken a development out of their Local Plan which affected the number of houses to be provided. This was causing a delay in getting South Derbyshire's Local Plan approved.

**Q2:** What was the timescale for getting the Local Plan approved?

**A** SDDC were working to get it approved as soon as possible. It has been examined by the Inspector and the issues raised had been addressed the only delay was caused by Amber Valley. SDDC were making representations to Heather Wheeler our local MP and the Secretary of State making the point that they had made every effort to comply with the duty of care and that the plan should be approved on this basis.

**Q3:** In the worse-case scenario, what was the shortfall in the number of houses required?

**A** There was a shortfall of 300 dwellings in terms of the 5 year housing supply.

**Q4:** What could we do to resist the potential 500 houses when they are not sustainable? There were brownfield sites in Derby why couldn't those be used?

**A** The Planning Inspector had said that Derby City was up to their maximum in providing housing. When the infrastructure was overloaded what tended to happen was that the council would negotiate for 106 monies which were a contribution made by the developer towards such areas as schools, doctor's surgeries but these were subject to strict viability tests. Etwall was classed as a service village which made it particularly vulnerable.

**Q5:** 106 monies do not necessarily go to the area in which the development takes place it is often spread across the whole district.

**A** This happened in some cases in the past. The impact on local facilities was reflected in the planning conditions and it is important to get those right.

**Q6:** Who owns the land on which Phase 2 is to be developed?

**A** It was John Port Trust as this development would take place on land originally earmarked for the cricket pitch.

**Q7:** There should be an overview of development in the village. These piecemeal applications are just putting more and more pressure on the community.

**Q8:** Who makes the decision?

**A** The example of New House Farm in Mickleover was given which was not in the Local Plan. This was refused by SDDC's Planning Committee. The developers immediately went to appeal and an appeal decision is now awaited. In almost every case the Inspector says that as there is not a Local Plan in place and not a 5 year supply of housing stock the development is approved. There have been some instances where developments have not been dismissed on appeal where, for example, landscaping has been unacceptable.

**Q9:** If everyone bombards the Planning Department with objections, which will take planners time to look through, it will delay in the process and therefore may give time for the Local Plan to be approved.

**A** This may seem like a good idea but the Planning Department has a duty to deal with applications within a certain timeframe and if they do not meet this they risk the application going straight to appeal on the grounds of non-determination.

**Q10:** Part 1 of the Local Plan allocates 100 houses to Willington Road, how many houses are there in Part 2?

**A** Part 2 has 600 houses across the whole of the district. It was suggested that letters be sent to Heather Wheeler MP to ask that pressure be put on the Secretary of State to approve the Local Plan as SDDC had done its best to comply with the duty of care.

**Q11:** How long will the Local Plan last?

**A** Until 2026

**Q12:** Could residents lobby the Inspector on appeal?

**A** If a planning application goes to appeal representations can be made to the Inspector. Should this happen residents would be informed via the website and the email network. The date for comments on the Willington Road Phase 2 was 19<sup>th</sup> June.

**Q13:** If a planning application is passed on appeal does the parish get 106 monies?

**A** The Local Authority would anticipate a judgement going against them and produce a report that said that if the appeal were allowed 106 monies would be required for x, y, z. This would have been negotiated with the developers.

## **5 Road Connection between Willington Road and Egginton Road**

The Chairman introduced Dr R Wickham (a Town Planner and University Lecturer) who explained the proposals for developing the land to the south of Phase 1 of the Bloor Homes development. The idea was to give something back to the community by building a road to connect Willington Road with Egginton Road thereby reducing traffic in the centre of the village. Dr Wickham had also been involved in the scheme for Old Station Close. He felt that residents should decide which scheme of those on offer would give them the greatest benefit. The plan was to build up to 95 dwellings with open space.

## **6 Public Speaking**

**Q1:** Where is the sewage going to go?

**A** It will link in with the existing system.

**Q2:** There was great concern regarding drainage and flooding at the time the Old Station Close houses were built and the residents had been plagued with problems since then.

**A** Dr Wickham replied that those houses were well received and sold readily.

Cllr Brown replied that the Old Station Close planning application was initially refused but passed on appeal. The detention pond and maintenance of the detention pond slipped through the radar. The District Council has done a lot of work retrospectively to address these problems.

**Q3:** This development was not included in the SHLAA list of sites. Should the idea of a Neighbourhood Plan be looked at again?

**A** The Parish Council considered the production of a Neighbourhood Plan but it was felt that it would be too costly, require resources that the parish did not have and would not be completed in time to save the village from the speculative planning applications which were now being made.

**Q4:** Who is the owner of the land that you are proposing to develop?

**A** A local farmer and Severn Trent.

**Q5:** Was there any way of getting these planning applications looked at as a whole rather than the piecemeal drip of applications we are currently getting?

**A6:** How dependent is this application on Phase 2 of Willington Road being approved?

**A** It was a key element. There was no formal tie up with Bloor Homes but the connecting road was perceived as a benefit to the community. There was a possibility that all of the planning applications could be submitted at the same time. They were ready to submit a planning application.

**Q7:** If Phase 1 and Phase 2 of Willington Road were to be built plus the additional housing near Jackson's Lane, presuming two cars per household, this would give an additional 600 cars using the Egginton Road junction.

**Q8:** Would the new road come out onto the new Egginton Road or the Old Egginton Road?

**A** It would come out onto the single track road. The technical work had not yet been completed. The professionals would analyse the work and if changes needed to be made they would be done.

**Q9:** Technical work had been done on the Phase 1 Willington Road development but this was not sophisticated enough to take into account the particular situation where the peak flow of traffic is at the beginning and end of the school day and where the population of the school exceeded that of the village.

**A** The existing situation would be noted then the software would apply additional traffic movements that would be anticipated by the additional housing. An outline planning application could be made for this development in 4-6 weeks.

**Q10:** Would the Transport Survey take into account the other potential housing developments?

**A** It would only take into account those where planning permission had been approved. It would not include speculative planning applications.

**Q11:** Hilton relief road seemed to be a good idea but no-one ever uses it, preferring to go through the centre of the village.

**Q12:** Are you saying that the main reason for this development is to relieve traffic through the centre of the village?

**A** If you have to have additional housing this brings a benefit to the community.

**Q13:** At the Taylor Wimpey consultation this afternoon there was a large strip of land which was not being developed due to high decibel levels from the A50 yet this proposed development is closer to the A50.

**A** They were looking at noise levels but it was felt that these were modest compared with other sites. A scheme for this would be part of the detailed planning application but it was hoped that any solution would improve the noise level for existing houses. Noise and light pollution would need to be considered if the railhead development were to go ahead.

**Q14:** Developers look years and years in advance. Having two roads may help in getting further areas of land developed. Looking at your website it says that you can help developers to avoid having to provide affordable housing.

**A** There was no advantage by looking at future potential. They were not hiding future access points. They were known for putting fewer homes and more green spaces on their sites than other developers and many parish council Chairmen were delighted with their schemes.

**Q15:** Do you know the housing mix?

**A** Nothing has been finalised but bungalows are being considered as part of the scheme.

**Q16:** Would the landowners be willing to donate some land for a cricket pitch or a cemetery?

**A** The question could be asked.

**Q17:** What are the plans for water retention?

**A** We would like open water swales which have an aquatic biodiversity benefit.

**Q18:** There has been a lot of flooding in various parts of the village due to the Old Station Close development. This land is bounded by the A50 therefore options for dealing with water are limited.

**A** You can oversize – water would be held back giving a net benefit.

**A19:** A lot of the houses on Old Egginton Road are Victorian and do not have modern sewerage facilities. How will you protect these houses?

**A** Schemes for foul sewerage will be designed and approved by Severn Trent to take this into account.

The Chairman thanked the representatives of Providence Land Ltd to attending this meeting and answering questions.

**7 Any Other Planning Applications – None**

**8 Any Other Business**

Members were asked who owned the land on which the allotments stood and what assurances there were that this land would not be sold off for housing.

Residents were encouraged to write to Heather Wheeler MP to ask that she represented the interests of the people of Etwall by ensuring that the Local Plan is adopted as soon as possible.

Signed .....

Date .....