



Ripley Town Council

6 Grosvenor Road Ripley DE5 3JF

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MINUTES OF 21st October 2022 MEETING of the RIPLEY TOWN COUNCIL PLANNING COMMITTEE

Held at 5.30pm at 6 Grosvenor Road, Ripley.

Present: Cllrs S. Freeborn (Chair), L. Cox, T. Holmes, and N. Weaving.

Also present: Mrs J Simpson (Clerk) and Miss H Curzon (Deputy Town Clerk) and three members of the public.

211022/1. To Receive Apologies for Absence

Apologies were received from Cllr M Allwood.

211022/2. Variation of Order of Business

Planning Application number AVA/2022/0866 was deferred to the next meeting, Planning Application AVA/2020/0188 was moved forward to be discussed first.

211022/3. Declarations of Members Interests

Cllrs T Holmes and L Cox declared a personal interest in planning application AVA/2022/0835 as they both have a relative living near the address. They remained in the meeting but did not partake in any discussion regarding this planning application.

211022/4. Public Speaking

Three Members of the public were present, and voiced their objections to Planning Consent No: - AVA/2020/0188 for reasons including the amount of time this application has been going on for, the setting aside of a commitment in the Local Plan to protect the area in line with community wishes. Also, the perseverance of the developer, and the previous application promises not being delivered.

211022/5. To discuss current Planning Matters and make comments.

1. **Ref: AVA/2020/0188** Erection of 58 dwellings and associated infrastructure and demolition of garages.

RESOLVED that the committee members unanimously vote against this proposal for the following reasons.

Local Green Space and Made Neighbourhood Plan Policies OS1 and OS2

In the absence of a current Amber Valley Local Plan and the knowledge that the borough's housing number targets have been met, the Town Council notes that the Made Ripley Neighbourhood Plan applies.

The application site lies within the designation OS1 and OS2 as set out in the Made Ripley Neighbourhood Plan, and paragraphs 99, 100 and 101 of the National Planning Policy Framework (NPPF) all apply.

The Town Council does not see how or why this Application can be approved.

NPPF para 99

“The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated and be capable of enduring beyond the end of the plan period.”

The proposed housing site is a Local Green Space, being what remains of Codnor Common and is of great importance to the local community.

The Made Ripley Neighbourhood Plan is entirely predicated on the principles of the local planning of sustainable development complementing investment in sufficient homes, jobs and other essential services. If it had not been consistent with this approach, then the Plan would not have ‘passed’ the Independent Examination required before a referendum can be conducted.

The Town Council believes there is no reason why the designation of Codnor Common as a Local Green Space (as in Saved Policy OS1 of the Made Ripley Neighbourhood Plan) should not endure beyond the end of the plan period, ie beyond 2028. Indeed, the Borough Council formally accepted that position through the ‘making’ of the Made Ripley Neighbourhood Plan.

Neither the Applicant nor their Agent raised any objections to the designation of the site as a Local Green Space during the consultation phases of what became the Made Neighbourhood Plan.

NPPF para 100

“The Local Green Space designation should only be used where the green space is:- a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.”

The Local Green Space is in very close proximity to the community it serves, it is surrounded by housing with no other public amenity space or playing field available in adjacent / neighbouring areas.

In the recent past, there were many objections to the Applicant’s two previous housing applications for the site which were only allowed upon Appeal because of the lack of a ‘5-year supply’. This small remaining piece of the wider site has an even more significant recreational value, even though it is not an extensive piece of land. Given the extent of development that has taken place within and around Waingroves, this remaining piece of Codnor Common is the only reasonably close-to-home public open space for hundreds of people.

NPPF para 101

“Policies for managing development within a Local Green Space should be consistent with those for Green Belts.”

RTC has noted that the Planning Board has recently upheld the importance of Green Belt

when refusing other planning applications because application sites were wholly (or in part) within the Green Belt. To be consistent in the application of its policy – and to be NPPF compliant - RTC believe the Planning Board should treat this Application as Green Belt, i.e. refuse the Application.

Other Issues

Ripley Town Council will be commenting in further detail shortly.

- 2. **Ref: AVA/2022/0835** Change of use from retail unit to form drinking establishment/Sui generis (pool hall).

RESOLVED that the committee members do not wish to agree to this change of use and the extension of the existing Night Club. They are concerned about the impact on anti-social behaviour and the effect on local residents.

211022/6. Date and time of next meeting

The date of the next meeting is Friday 25th November 2022 at 5.00pm.

The Meeting closed at 5.57pm.

Signed..... Date.....