

**PLANNING COMMITTEE**  
**9<sup>TH</sup> JULY 2024**

**CORRESPONDENCE RECEIVED AFTER PREPARATION OF THE AGENDA**

**ITEM 5.3 – 24/00019/FUL - PROPOSED SINGLE AND TWO STOREY EXTENSIONS AT RUSSETS, 2B WYASTON ROAD, ASHBOURNE**

A correction is required in respect of the plans referred to in condition 2.

2. The development hereby approved shall not be carried out other than in accordance with the following approved plans, except insofar as may otherwise be required by other conditions to which this planning permission is subject:

01 - Site Location Plan, Drawing No. J3703-01 (received 09.01.2024)

02 - Existing and Proposed Site Layout Plans, Drawing No. J3703-02 Rev. C (received 21.03.2024)

03 - Proposed Ground Floor Plan, Drawing No. J3703-05 Rev. B (received 21.03.2024)

04 - Proposed Ground Floor Plan and Elevations, Drawing No. J3703-06 Rev. B (received 21.03.2024)

Reason: For the avoidance of doubt and to ensure the satisfactory external appearance of the development.

A further response has been received from Mr P Marsh the neighbour at 12 Duncombe Drive and is detailed below-

It appears the revised plans to the development are NOT correct with respect to the extension to the boundary of no 12 Duncombe Drive, Ashbourne DE6 1LJ.

Planning Committee documents paragraph 7.7 states 4.6 m from boundary there are no dimensions stipulated on the plans and I despite this as I believe there is only 3.3mtrs to my fence less 1m ransom strip equal to 2.3 m to existing property. Therefore, the extension would have to be 2.3 m back from existing garage to achieve this. Therefore the proposed side extension can only be half what is possible proposed on the plans.

**Officer Response**

It is assumed the comment is making reference to a 'ransom' strip of land between properties. Certificate A on the application form has been signed and a red line plan provided demonstrating the land to which the application relates. Planning permission does not override legal issues in relation to ownership of land.

It is noted that no dimensions are included on the plan. However national validation requirements only require a scale to be identified on a plan, with the plans being to scale and including a scale bar.

Notwithstanding the above further clarity to paragraph 7.7 is given in that it is noted that the western boundary to Duncombe Drive narrows to the south so the distance from the side wall of the proposed extension to Duncombe Drive would vary between 4.1 to 4.6 metres.

**ITEM 5.4 – 24/00240/FUL - ERECTION OF 1NO. DWELLINGHOUSE WITH ASSOCIATED WORKS AT LAND WEST OF STARKHOLMES ROAD, MATLOCK**

A letter from a resident, Barbara Marriot has been received and is summarised below:-

It has come to light that this land may not legally belong to Derby Diocesan Board of Education. The school was built before the Derby Diocese came into existence in 1927. It was previously in the Diocese of Lichfield. According to the records the land for the school was provided by Mr Arkwright and the school has always been a controlled school and not a C of E Aided school. A complicated confused situation of ownership. Perhaps they do have documents to show legal ownership but in the 1970s after extensive research Bishop Parfitt was unable to get to the bottom of it. An article of the history of the school was provided.

Officer Response

Certificate A on the application form has been signed and a red line plan provided. Planning permission does not override legal issues in relation to ownership of land.

The refusal reason has been amended to read:

The proposal would result in an unwarranted and incongruous form of development that would fail to preserve or enhance the character and appearance of the wider historic setting in which it sits, located within the Derwent Valley Mills World Heritage Site Buffer zone and adjacent to Matlock Bath Conservation Area boundary. It is considered that whilst the level of harm would not be substantial, the harm identified would significantly and demonstrably outweigh the benefits of housing provision and thus is not considered to constitute sustainable development, contrary to the aims of Policies S4, PD1, PD2 of the Adopted Derbyshire Dales Local Plan (2017) and government guidance contained in the National Planning Policy Framework.