**Minutes of Rodsley and Yeaveley Parish Council Extraordinary Meeting**

Held at 7.30 in Yeaveley Holy Trinity Church

 **Wednesday 6th March 2019**

**Present Councillors**

 J Bates (Chair)

 R Nuttall (Vice Chair)

 L Schroeter

 J Fitzakerley

 F Sills

 H Watson

 Clerk, J Bailey

 District Councillor, A Morley

 Member of the public, Mrs Nelson, Mrs Taylor, Mr and Mrs Richards,

 Mr Millward, Mr and Mrs Fisher, Mr and Mrs Allen,

 Mrs Granger

**Apologies:** Cllr Bull.

**Declaration of Members’ Interests.** There were no changes

**Public Participation.** The Chair explained that this is the time when members of the public can state their reason for attendance and air their views on any item on the agenda, or, ask for an item to be placed on the agenda of the next meeting.The time allotted to public participation is 30 minutes and no one person may speak for more than 5 minutes and that once the meeting is underway members of the public must not interrupt.

Mrs Taylor explained that she shared the drive that the applicant was planning to use for access and was concerned that he could not assume that he had the right to do this. The area at the top of Priory Close bordered by 7 properties is ‘unadopted’ and maintenance of it is kept up by these properties. It would become unsafe as it is not wide enough to take big lorries or large vehicles like refuse lorries and fire engines. It is also backfill.

Mr Allen said that highways safety would be compromised by construction traffic in the first place and later by vehicles owned by the proposed housing – adding to an already very busy area. He also suggested that the Parish Council should ask for the proposal to be put to committee.

However Cllr Morley advised that he had spoken with the case officer who was seriously considering refusing it under delegated authority.

Mrs Granger asked whether the proposal adjoined the Mushroom Farm development and was told that it did not.

Cllr Nuttall read out a document that he had written which summarised all that the residents had raised so far with a few extra points.(see below)

**22/19 Planning Application Erection of 3 Dwellings with Associated Detached Garages on Land to the Rear of 12, Priory Close.**

Following discussion the councillors unanimously agreed to support the residents and object to the application on the following grounds.

1).  In the Derbyshire Dales Plan, Yeaveley is defined as a tier 5 village, meaning that development only by infill is permitted. The nature of this application is quite clearly backfill.

The applicant states that the proposed development would be ‘closely connected’ to the village.

The fact that the development can only be accessed via the applicants shared driveway shows that this is not the case.

Should this application be approved, then anyone with land behind their house, or access to such land, could apply to build housing.

This would result in a radical change to the nature of the village.

2).  Land use. Much of the land being proposed to be used in the development is agricultural land.

Before any development could be considered then a change of use would have to be approved from agricultural to residential land

3).  Access. The upper section of Priory Close is not an adopted road.

Any repairs have to be paid jointly by the residents of Priory close. Although not clear on the legal status of this, it would seem logical that all the residents would need to agree before access could be granted to a third party.

4).  Access.  Access to the development of Priory close, shown in red in the application, is in fact a shared drive.

This means that access would have to be agreed by all parties that share the driveway.

There is a safety issue here for the residents who also share this drive if it becomes a thoroughfare for housing built to the rear of the property.

5).  Access.  The applicant states that the width of the driveway will be 5 m.

PC believe that the minimum width specified for a roadway is set at 5.5 m.

The applicant also states that 5 m is adequate for two cars to pass, a modern SUV is around 2.2 m wide from mirror to mirror giving insufficient margin.

6).  Access.  Priory Close is already a narrow road, particularly when cars are parked.

PC do not believe that this, together with the narrow driveway, will give adequate access for builders vehicles, Emergency vehicles or refuge trucks.

7).  Parking.  The owner of 12 Priory close currently uses the driveway for parking. It is not clear from the application where the owner, visitors, tradesmen et cetera would park in the event that the current driveway becomes access for new housing.

In summary the Parish Council object wholeheartedly to this proposal as there is not a viable level of access to the site, it would require a change of use from agricultural land and, as backfill, does not meet the requirements set out in the Derbyshire Dales plan.

The Parish Council would also support the Case Officer to refuse the application under delegated authority.

The Clerk will action this.

The meeting closed at 8.15 pm

**Signed……………………………………………………………………………Date…………………………………………….**