

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

20th April 2022

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair), Councillor Pegg (Vice-Chair)
Councillors, Heath, Singh and Southerd

Conservative Group

Councillors Haines, Muller Smith, Redfern and Watson

Independent Group

Councillors Fitzpatrick and MacPherson.

Non-Grouped

Councillor Wheelton

EDS/193 **APOLOGIES**

The Committee was informed that apologies have been received from Councillors Corbin and Brown (Conservative Group)

EDS/194 **DECLARATIONS OF INTEREST**

The Committee was informed that a personal declaration of interest had been received from Councillor Fitzpatrick in relation to EDS/200.

The Committee was informed that declarations of interest had been received from Councillor Muller and Councillor Smith in relation to EDS/200 and EDS/201 by virtue of being County Councillors.

EDS/195 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

EDS/196 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**EDS/197 LOCAL DEVELOPMENT SCHEME 2022-2025**

The Planning Policy Team Leader presented the plan to the committee seeking approval for the revised statutory Local Development Scheme for 3 years. It was noted that last year it was agreed to review part 1 and that the proposal set out a detailed timeline for the Local Plan Part 1.

Members sought clarity about potential sites and when a site plan would be published in the Wards and if responses received in relation to the site plan would inform Part 2 of the Local Plan. The Planning Policy Team Leader informed the Committee that there was a methodology used to appraise potential sites in terms of availability assessment and when the appraisal was completed the site plan would be shared and confirmed that responses received would impact on Part 2.

The Chair requested that Members be notified when the document was due to be published and if they could be provided with a preview.

Members requested confirmation about approval of the Local Plan. The Planning Policy Team Leader advised that the Authority made the final decision however there was a duty to cooperate with partners to ensure the needs of residents are met.

The Chair noted that it was the role of the Authority to ensure that the work and decisions made by the Committee along with the evidence presented and the collaborative work were robust and stood up to public scrutiny.

RESOLVED:

The Committee endorsed the Local Development Scheme (LDS) 2022-2025 as per Appendix 1 of the report for publication.

EDS/198 DRAFT PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT - CONSULTATION

The Planning Policy Team Leader presented the report to the Committee and confirmed that following consultation the document would detail what was to be expected of planners and include rates and facilities.

Councillor MacPherson noted the impact on communities and enquired if there was a framework in place to work to. The Strategic Director (Service Delivery) advised the Committee that working group arrangements were in place with collaboration with several authorities and there was a wide-

ranging group that looked at local requirements, infrastructure, recreation and sustainable transport.

RESOLVED:

The Committee approved the draft Planning Obligations Supplementary Planning Document (the SPD) as per Appendix 1 of the report, for consultation.

EDS/199 **DRAFT DERBYSHIRE AND DERBY MINERALS LOCAL PLAN**

The Planning Policy Officer presented the report to the Committee outlining the recommendations.

Councillor Smith was pleased with issues which have been identified at the sites in Foston, Sudbury, in relation to the impact of and noted that the need for food production should not be forgotten especially in view of what had happened in Europe during the previous months.

Councillor MacPherson raised a query regarding the restoration of defuncted sites. The Strategic Director (Service Delivery) confirmed that the restoration of sites commenced in 2008 and that there was a plan to make Trent Valley fit for the future whilst increasing tourism, recreation, green spaces, and carbon reduction.

RESOLVED:

The Committee agreed the Council's proposed response to Derby City Council and Derbyshire County Council's Draft Minerals Local Plan (MLP) consultation by objecting to:

(i) the use of out-of-date average annual sales data to calculate the requirement for sand and gravel and as a consequence significantly overstating the extent of need for these resources over the remainder of the plan period.

(ii) the allocation of more sites than are needed to meet the need for sand and gravel over the plan period based upon a forecast using the most recent annual average sales data in accordance with the National Planning Policy Framework (NPPF).

(iii) the allocation of the Sudbury sand and gravel site, on the basis that there has to date been no investigation as to whether the working of minerals on this site in isolation, or in combination with the proposed Foston allocation, could lead to an increase in flood risk in the Lower Dove Valley. Any flooding could have a potential

detrimental impact on considerable economic interests in the area as well as communities. Furthermore, the absence of flood risk evidence at the allocation stage means that any assessment to be submitted in support of a subsequent planning application that shows unacceptable adverse impacts may potentially lead to refusal. The site cannot therefore be relied upon to contribute toward meeting sand and gravel needs over the plan period.

(iv) the allocation of the Foston sand and gravel site on the basis that there has to date been no assessment of whether the working of minerals on this site, in combination with the adjoining proposed Sudbury allocation, could lead to an increase in flood risk in the Lower Dove Valley. Any flooding could have significant potential detrimental impacts as referred to in point (iii). Furthermore, the absence of such flood risk evidence at the allocation stage means that any assessment that may be submitted in support of a subsequent planning application that shows unacceptable adverse impacts may potentially lead to refusal. The site cannot therefore be relied upon to contribute toward meeting sand and gravel needs over the plan period.

(v) the allocation of the proposed Foston and Sudbury sand and gravel sites on the grounds that a precedent would be set in recent times for sand and gravel extraction in the Dove Valley, which would inevitably and irreversibly alter the character of the area.

(vi) the wording of the principal planning requirement in respect of each of the proposed new sand and gravel sites stating (at point 8 in each case) that restoration should take account of the Restoration Strategy for the Trent Valley should be strengthened as follows:

“The Mineral Planning Authority will establish formal arrangements to work with communities and mineral operators and other stakeholders well in advance of the submission of any planning applications to help ensure that proposals for mineral working in the Trent, Derwent and Lower Dove Valleys show how the mitigation, restoration and aftercare of sand and gravel sites will fit in with this long-term restoration strategy for the river valleys.”

(vii) the plan of the Trent Valley Restoration Study Area included in the Draft MLP (page 181) as it excludes the proposed Foston and Sudbury allocations and should be amended to fully accord with the policy requirement referred to in point (vi) above.

(viii) the application of the site assessment methodology for the reasons set out in paragraph 8.21.

EDS/200 **DERBYSHIRE CLIMATE CHANGE STRATEGY**

The Strategic Director (Service Delivery) presented the report to the Committee and advised that should the Committee endorse the recommendation it would not oblige the Council to commit to everything within the report but it would be in the Council's best interest to work in partnership with other local authorities.

The Climate and Environment Officer advised that Derby County Council had set out its climate strategy and the elements within the report were key to South Derbyshire's Environment and Action Plan but it would not replace South Derbyshire District Council's own strategy. The benefits of the Council being part of Derbyshire Forum would provide access to ideas, solutions, experts and funding opportunities and a broader perspective of actions.

Councillor Fitzpatrick was very happy with the report and felt it was excellent step forward.

Councillor Wheelton agreed with Councillor Fitzpatrick but noted that the Council was not in any way signing up to any form of Vision Derbyshire. The Strategic Director (Service Delivery) confirmed that Derbyshire County Council would be advised of the Council's position.

RESOLUTION:

The Committee endorsed the Climate Change Strategy 2022-2025 created by Derbyshire County Council (DCC) attached at Appendix A of the report.

EDS/201 **D2N2 FUNDING PROGRAMME FOR A PILOT HYDROGEN FUELLED WASTE COLLECTION SERVICE**

The Strategic Director (Service Delivery) introduced the report to the Committee.

The Climate and Environment Officer presented the report to the Committee and advised of the Council's fleet vehicles' annual CO₂ emissions and that whilst technology for car and vans was developing towards electric technology for heavy vehicles such as refuse trucks was not as advanced. It was explained that the use of hydrogen was pilot project for the Council's heavy vehicles, that would identify risks and operational challenges and would also provide data on the performance of hydrogen vehicles. The plan to convert two diesel vehicles was outlined along with how data collated over 12 months would inform decisions about the future of the refuse trucks and heavy goods vehicles.

Members raised queries regarding the distance the vehicles could cover, the safety of the vehicles. The Climate and Environment Officer that it would be a normal combustion engine, that would run on both fuels but meant the use of diesel would be halved. The Committee was informed that refuelling of the hydrogen would be undertaken by partners that had expertise in handling the fuel and that specially adapted tanks would be fitted to the vehicles to store the hydrogen and it was highlighted that Toyota had a long history of using hydrogen that Glasgow Council they were using hydrogen in its entire fleet of buses and refuse trucks.

Councillor Wheelton requested that the Committee received updates on the technical aspects and more information on what was happening in Glasgow which may reassure residents.

RESOLVED:

1.1 The Committee accepted the terms of the D2N2 Future Funding Programmes that would enable South Derbyshire District Council (SDDC) to deliver a Pilot Hydrogen Project for the waste collection services in 2022/23.

1.2 The Committee acknowledged that by accepting the D2N2 Future Funding of £310,000 the Council would commit to match funding of £360,000 for the purchase of two new Refuse Collection Vehicles (RCV's) as part of the Operational Fleet replacement programme within the next financial year.

1.3 The Committee welcomed the Pilot Hydrogen Project for the Waste Collection Service as an external funding opportunity that would support the ongoing transition of the Council's vehicle fleet from diesel to low carbon emission fuel and the overall carbon neutral ambitions of the Council.

1.4 The Committee welcomed the innovative approach that the Council was taking with the Pilot Hydrogen Project which would increase the operational learnings of hydrogen dual fuelled vehicles, the operational adjustments and the refuelling infrastructure required, both for the Council, the D2N2 region and the wider waste collection audience.

1.5 The Committee approved that the financial implications of the report be referred to the Finance and Management Committee for approval.

The Strategic Director – Service Delivery presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/203 The Chairman may therefore move:

That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

TO RECEIVE ANY EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11

The Committee was informed that no exempt questions from Members of the Council had been received.

CREATION OF ADDITIONAL PLANNING ASSISTANT POSTS

The Committee approved the recommendations within the report.

The meeting terminated at 19:30 hours

COUNCILLOR TAYLOR

CHAIR