

PLANNING COMMITTEE

23 January 2024

**PRESENT:**

**Labour Group**

Councillor Shepherd (Vice-Chair)

Councillors J Carroll, M Gee, J Harrison (substitute for Cllr A Jones) Hudson, L Mulgrew, M Mulgrew (substitute for Cllr K Storey) and N Tilley (substitute for Cllr G Jones)

**Conservative Group**

Councillors K Haines J Lowe (substitute for Cllr D Muller) and P Watson (substitute for Cllr A Kirke)

**Liberal Democrats**

Councillor J Davies

**Non-Grouped**

Councillor A Wheelton.

**In Attendance**

Councillors A Haynes and A Tilley

PL/153 **APOLOGIES**

The Committee was informed apologies had been received from Councillors: G Jones, A Jones and K Storey (Labour Group) and Councillors A Kirke and D Muller (Conservative Group).

PL/154 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Wheelton declared a non-pecuniary interest in item PL/157 by virtue of being Chair of the Drakelow Development Bridge and Bypass Steering Group.

PL/155 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions had been received.

**MATTERS DELEGATED TO COMMITTEE**

PL/156 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/157 **THE MODIFICATION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 DATED 24TH AUGUST 2021 AND RELATING TO PERMISSION REF. DMPA/2020/1460 (SEEKING TO RESET TRIGGER FOR WALTON BYPASS TO ALLOW FOR IT TO BE DELIVERED PRIOR TO OCCUPATION OF 785 DWELLINGS ON THE DRAKELOW ESTATE) ON LAND AT SK2420 2230, WALTON ROAD, DRAKELOW, SWADLINCOTE – DMPA/2023/1024**

The Committee was advised that a site visit took place earlier that day.

The Head of Planning and Strategic Housing addressed the Committee and read out a letter of objection received on behalf of EON. The application was presented to the Committee and the Head of Planning and Strategic Housing outlined the key points of the proposal noting the background of the application, the impact the proposal would have on the five year land supply position and that via a Technical Working Group, with amendments the bridge proposal was close to approval.

An Objector and the Applicant attended the meeting and addressed the Committee regarding the application.

As Local Ward Member, Councillor A Tilley attended the meeting and addressed the Committee raising concerns on behalf of local residents.

In her capacity as Local Ward Member, Councillor A Wheelton addressed the Committee and raised concerns on behalf of local residents.

Following concerns and queries raised by Local Ward Members the Head of Planning and Strategic Housing clarified that traffic enforcement for users of the bridge was not within the Councils gift, that the application brought benefits via the Section 106 Agreement which included the provision of a school and health centre and that a stop notice could not be guaranteed if there was a breach as an investigation would be required in the first instance.

Members considered the application and raised concerns regarding the robustness of the wording within the recommendations and the commitment of the applicant to achieve the given deadline for the completion of the bridge and bypass. Members discussed the benefit of having a build programme for the bridge that included completion dates so that progress could be monitored.

**RESOLVED:**

***That permission be deferred to allow for discussions with the developers in regard to the following amendments:***

- ***within recommendation 1 the word ‘submitted’ be replaced by ‘validated’.***
- ***additional requirements be added in line with the applicant’s offer to accelerate delivery of infrastructure on site including that the spine road and Greenway be completed by 31 December 2025 at the latest.***
- ***the developers be required to submit with the planning application for the bridge, a specific build programme that sets out measurable deliverables that they need to meet.***
- ***an increase to the £1 million the escrow account.***

***In addition to the above the Committee requested that contact be made with both County Councils to try and secure a commitment that they would deal with matters in their control in a timely manner.***

PL/158 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985)**

**RESOLVED:**

***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 was 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 paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.***

PL/159 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.**

The Committee was informed that no questions had been received.

The meeting terminated at 19:15 hours.

COUNCILLOR D SHEPHERD

VICE-CHAIR