

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE
(SPECIAL)

20th November 2002

PRESENT:-

Labour Group

Councillor Southerd (Chair), Councillor Taylor (Vice-Chair) and Councillors Brooks, Carroll, Pabla, Shepherd and Whyman.

Conservative Group

Councillors Bale, Hood (substitute for Councillor Douglas), Shaw and Mrs. Walton.

In Attendance

Councillors Bell, Evens, Harrington, Rose, Mrs. Rose, Stone and Wilkins (Labour Group) and Councillors Bladen, Harrison, Lemmon, Mrs. Robbins and Mrs. Wheeler (Conservative Group).

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Bambrick, Dunn, Lauro and Mrs. Mead (Labour Group) and Councillor Douglas (Conservative Group).

EDS/47. **DECLARATIONS OF INTEREST**

Personal interests were declared by Councillors Southerd, Brooks and Lemmon with regard to a particular company that had responded to the first consultation stage of the South Derbyshire Local Plan Review. Councillor Whyman also declared an interest as an employee of that Company.

MATTERS DELEGATED TO COMMITTEE

EDS/48. **SOUTH DERBYSHIRE LOCAL PLAN REVIEW**

The Chair reminded Members that this Special Committee Meeting had been called to consider the responses received during the first consultation phase of the Local Plan Review. He stressed the importance of giving all Members the opportunity to participate at this Meeting and at a Special Council Meeting, which would be called in due course. He clarified that Members should only consider those existing representations and not seek to introduce other issues at this stage. The Chair outlined the format of the documents circulated and proposed that the Committee consider initially Appendix 'B' - the Summary of Objections with Proposed Recommendations. Within that document he suggested that the Committee consider each of the following sections in turn: Environment, Transport, Housing, Employment, Shopping, Community and Leisure, Recreation and Tourism. The Planning Services Manager advised that there were some small additions and amendments to the documents and the Committee agreed to receive these at the appropriate points.

It was reported that the First Deposit Draft of the Local Plan for South Derbyshire had attracted some 1,459 submissions, comprising 1,214 objections and 245 representations of support. To date, 49 objections had been withdrawn unconditionally and a further 57 had been withdrawn conditionally. The types of objection received could be divided into a number of categories. Guidance acknowledged that certain categories of objection were unlikely to be resolved quickly by negotiation and would therefore need to be discussed at the Public Inquiry.

Comment was invited on Appendix 'B', initially with regard to the Environment. In response to Policy ENV13, representations had been received regarding flooding linked to housing development. Specific reference was made to the proposed residential development of the former Willington Power Station site and elaboration was sought on the suggested response to a particular representation. Officers explained that ENV13 was a general policy, the purpose of which, was to prevent development that caused or increased the risk of flooding. Flooding was a major concern and the Council was mindful of Government guidance on this issue. Policy ENV13 had been strengthened and the Environment Agency was happy with the revised wording for this Policy. The Member was pleased with the clarification that Policy ENV13 had been strengthened.

Other Members voiced concerns about the impact of residential development on the former Willington Power Station site for the Trent flood plain. The Planning Services Manager explained that it was not appropriate for the Local Plan to deal with anything but the development of land. Flood risk assessment was a matter for the Environment Agency, but Members were mindful of the Council's role as a planning authority. The Member clarified his opinion, speaking of the massive scale of objection from Willington residents and their real, deep concerns. The site in question was flooded at present and in recent years, the number of properties affected by flooding in Willington had increased. Another Member broadly welcomed the proposed amendments to this policy, but felt that the process of assessment of extra risk needed to be more specific.

The Vice-Chair voiced his support for policy ENV1. Another Member was surprised at the comments made by the Government Office for the East Midlands regarding Policy ENV14 relating to dependence on the National Air Quality Strategy. Clarification was provided.

The Committee then considered those objections and recommendations regarding transport matters. At 6.35 p.m. the Chair adjourned the Meeting for ten minutes to enable Members to read additional information that had been circulated.

Under Policy T10, comment was made on the proposals to protect land for a new park and ride facility at Boulton Moor. A local Member voiced his objection to Park and Ride schemes generally and felt that Raynesway in Derby might prove a more suitable location. He questioned how long this land would be reserved for such a scheme and felt it could more usefully provide a local shopping amenity. The majority of vehicles travelling to Derby City Centre now used the A50 trunk road rather than the A6. Another Member supported the suggestion that this site could usefully provide a local shopping facility. Officers explained that Derby City Council had identified a possible site, but this had not been published in its Local Plan. There was a

need for a further study to determine the preferred location and size of park and ride facilities needed.

The Vice-Chair commented on Policy T12, the Swadlincote Regeneration Route. As the Woodville Ward Member, he felt that any solution for the Butt Lane area would prove difficult and likely to attract some objection. This was demonstrated by the representations received during the first consultation phase. The comments were supported by another Member and Officers were mindful of the local Member's wishes to alleviate the problems being experienced.

The Committee then considered those objections and recommendations relating to housing policies. The Willington Ward Member spoke of the representations made regarding development on the former power station site and particularly the comments from the Environment Agency. Officers provided clarification on the zoning of this site and the flooding risk assessment undertaken. The Environment Agency had yet to rule if the risk assessment was "adequate" and had suggested the use of its own risk assessment for the overall Trent flood plain. Its report was not due to be received until November 2003, but that section of the Trent through South Derbyshire, including zoning of the Willington site, would be available by March 2003. This would be well in advance of the Local Plan Public Inquiry. Officers explained the implications of removing the Policy from the Local Plan at this stage. It was felt more prudent to pursue the Policy in its present form for the Second Deposit Draft document. The Council could review its position at the Public Inquiry, with the improved information likely to be available at that time.

Note: At 7.00 p.m., Councillor Carroll left the Meeting.

The Willington Ward Member made further representations about the development of the former power station site. He spoke of the flood risk plans and the definitions of sites as a "high" or "medium" risk. He felt there should be more detailed reference in Policy H5 to the required social and community provision. The opportunity for further consideration of this item at a Special Council Meeting was welcomed but it was felt that this aspect of the Local Plan should be deferred until the Environment Agency's guidance had been received. He spoke of flooding problems in 2000 and in 1981, stressing the need for careful determination of this matter, to provide security for the new community and to ensure that development of the site did not exacerbate current flooding problems for the remainder of the Village. He emphasised that the flood warning for the Willington section of the River Trent had only recently been lifted and was after many other sections of the River Trent and River Dove. Councillor Evens then commented on the traffic implications for the Village that would result from the development of this site.

In response, Officers explained their efforts to gather flood level information and the rigour of assessment undertaken, to give the Committee reasonable reassurance and enable progress with this phase of the Local Plan process. An absolute assurance could not be given, but the Planning Services Manager felt that there were reasonable safeguards in place and the opportunity to introduce further information as it was received, at future stages of this process. The Leader of the Council noted the Member's concerns, but felt that deferral of the Local Plan was not feasible.

A Member sought more liberal treatment of Policy H1, regarding the development of brownfield land in rural areas. There was a discussion on a particular development site between two villages in the north-western part of South Derbyshire. The lack of support facilities available in that area was noted and an affordable housing scheme might be an appropriate development.

Further consideration was given to the development of the former Willington power station site. In particular, a Member commented on the scale of residential development, voiced concerns about flood risk, the reduced employment land available and the removal of the Willington rail hub. She felt that this land should be treated as an exception site in the same manner as the Toyota plant. The Council should be satisfied that issues relating to transport, flooding and the reduction in employment land, were addressed before considering the residential development. From a sustainability viewpoint, she felt it would be more prudent to permit proportionate expansion of existing settlements, rather than the single allocation of 950 properties on this site. Reference was then made to the ageing population of the District and the desire of elderly residents to remain near their families. Policy H10 concerned affordable housing and there was a specific need for accommodation for elderly persons. It was suggested that the issue could appropriately be dealt with under Policy C2.

Note: At 7.40 p.m. Councillor Bell left the Meeting.

Officers responded to the suggestion for proportionate additional development in existing settlements, explaining that there had previously been Member restriction to this approach. The suggested treatment of the power station site as an exception site was also commented upon. The Findern Ward Member felt the scale of residential development on this site could effectively join the villages of Willington and Findern.

Members felt that the document should recognise the needs of specific sectors including the elderly and those with learning difficulties. Officers sought to explain the difference in planning terms between residential nursing homes, independent living and houses in multiple occupation. The Committee discussed the increasing numbers of elderly people and current housing needs information. An explanation was given of the Supporting People regime, which would provide support to enable elderly people to remain in their existing properties.

Members then discussed the provision of affordable housing. Derby City Council's Local Plan had identified 1800 units of affordable accommodation and to date 1550 units had been built. It was questioned whether the provision in this Council's Local Plan for the Derby Sub Area, might effectively be to support the City of Derby's housing needs. Officers explained that an average of 30% of all new homes needed to be "affordable" homes and that negotiations took place with developers. Further clarification was given on the needs of the Derby sub-area. Members then spoke of the proportion of affordable housing provided on major development sites, including that proposed for the former power station site. Questions were submitted on the proportion of new properties built for single persons accommodation, the need for affordable housing for first time buyers and the provision of bungalows.

Policy H11 related to sites for gypsies and travellers. Concerns were voiced that despite this Council's site provision, problems were experienced with unauthorised encampments. Officers explained that only one objection had been received to Policy H11.

A local Ward Member voiced her concerns over Policy H7 and the reasons why the proposal to develop some 35 hectares of land at Boulton Moor should not be permitted.

Note: At 8.05 p.m. Councillor Wilkins left the Meeting.

The Committee considered the objections and proposed recommendations regarding employment land. Reference was again made to the Willington power station site and the recent representations received. It was felt that the Council should be mindful of the "Quels" study. Officers explained that this study provided a 'snapshot' of the quality and quantity of employment land required. It would inform the review of regional planning guidance, but this would not even be in draft form until next year. Officers commented that a number of alternative sites had been promoted by landowners. There was surprise at the recent representations made by emda. Reference was also made to the availability of the Dove Valley Business Park and the benefits of that site.

Transportation issues were discussed, including the requirement for "travel to work" where employment land was remote from residential areas. The Local Plan could only seek to alleviate such problems, but people exercised their choice of where to live and work, so some travel was inevitable. Members questioned the reduced employment land allocations in the Local Plan. It was considered that there were sufficient sites available and that there was no short-term need unless site suitability was predetermined by location. Comment was made on the representations received from Derbyshire County Council. That Authority had undertaken an exercise to relate development allocations through two different mechanisms of calculation to arrive at the figures identified in the Structure Plan. The County Council had chosen to treat Hilton and the former power station differently than in the adopted Local Plan. Accordingly, it had proved necessary to amend the allocation for the draft Local Plan.

At 8.25 p.m., the Committee approved an extension to the duration of the Meeting in accordance with Council Procedure Rule No. 9.

The Leader of the Council spoke on the provision of quality employment land and more importantly, land for quality employment. He felt that Officers had answered the questions submitted regarding land provision and that it was not the function of the Local Plan to enhance the development potential of sites. It should, however, provide opportunities to benefit the public of South Derbyshire. Another Member commented on the recognised over-supply of employment land. There was a brief discussion on the site at Willington, the designation arrangements and proposed land use for that site.

Consideration was given to the shopping and community sections of the document. The Chair welcomed proposals received from the Morrison Group for the redevelopment of part of Swadlincote Town Centre.

Members reviewed the summary of objections and proposed recommendations for leisure, recreation and tourism. The Meeting was adjourned at 8.35 p.m. for five minutes to enable Members to read additional circulated information. It was questioned whether the proposed hotel development would still take place on the Nadins site. Comment was made on the proposals within the Local Plan for waterways developments, with specific reference made to the Derby and Sandiacre Canal and tourism amenities at Willington. The representations received from the Member of Parliament regarding shortcomings in leisure provision were also discussed.

The Committee then gave consideration to the revised Local Plan document and suggested a number of minor modifications. Specifically, these concerned the addition of “design of” to the title of Policy ENV21, the substitution of the word “may” for “will” in paragraph A of Policy H1 and to include a reference to residential homes for the elderly in the description of community facilities associated with Policy C2.

Members commented on the likely timescale for completion of the Hilton west access road, applauded the modified settlement hierarchy and gave further consideration to Policy H5. The definition of affordable housing provided under Policy H10 was welcomed.

Thanks were voiced to the Planning Services Manager, to the Local Plans Manager and to her staff for their efforts in producing the second deposit draft of the South Derbyshire Local Plan.

RESOLVED:-

- (1) That the decision to charge a fee of £20 for copies of the written statement requested in connection with this Committee report be endorsed.**
- (2) That the following comments and amendments submitted by Members be approved:-**
 - (a) The addition of “Design of” to the title of policy ENV21;**
 - (b) Substitution of the word “may” for “will” in paragraph A of policy H1; and**
 - (c) To include a reference to residential homes for the elderly in the description of community facilities associated with policy C2.**
- (3) That the Council be recommended to:-**
 - (a) Welcome those expressions of support for policies in the First Deposit Draft Local plan set out in Appendix ‘A’ of the report;**
 - (b) Accept the recommendations in Appendix ‘B’ to the report, in response to objections relating to the First Deposit Draft Local Plan;**
 - (c) Approve the content of Appendix ‘C’ of the report as the basis for the Second Deposit Draft of the South Derbyshire Local plan for public consultation;**

- (d) Agree that no submissions relating to the Second Deposit Draft will be accepted after the end of the consultation period;**
- (e) Approve the use of the revised Policy H1 of Appendix 'C' to the report for development control purposes in relation to applications for residential development during the interim period, pending the adoption of the Local Plan; and**
- (f) Adopt for development control purposes those policies to which no objection was received, namely Policies S4, S5 and S11.**

T. SOUTHERD

CHAIR

The Meeting terminated at 9.05 p.m.