

RECORD OF OPEN DECISIONS

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

At the Meeting of the Environmental and Development Services Committee held on Thursday, 20 April 2023, the following decisions were taken.

Urgent decisions or those exempt from call-in are indicated in the third column of the table. These decisions cannot be called in and are effective immediately.

All other decisions may be called in until 17:00hrs, Friday 28, April 2023.

A request to call in a decision must be made by at least three Members, including at least one Member of the controlling group. The request must be made in writing to the Head of Legal and Democratic Services and Monitoring Officer.

If no request to call in a decision is received within this time limit then the decision becomes effective immediately.

<u>Agenda Item No.</u>	<u>OPEN REPORTS</u>	<u>Urgent/ Call-in Exempt</u>
6	AGENDA ITEM PRE-SUBMISSION DRAFT DERBYSHIRE AND DERBY MINERALS LOCAL PLAN	
	DECISION: 1.1 That the Committee agrees 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 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). (ii) the allocation of the Sudbury and Foston sand and gravel site, on the basis that there has to date been no investigation as to whether the working of minerals on these sites, either individually or in combination, 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 subsequent planning applications that shows unacceptable adverse	

impacts may potentially lead to refusal. The sites cannot therefore be relied upon to contribute toward meeting sand and gravel needs over the plan period.

(iii) 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.

(iv) the wording of Policy SP 19 which should be strengthened as follows:

*“When considering the restoration of sand and gravel sites in the Trent, Derwent and Lower Dove Valley areas, the overall wider context of the site in the valley should be taken fully into account. ~~where practicable~~, including ~~the potential for~~ taking a coordinated approach with the restoration schemes of other sand and gravel workings in the area. 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 application to help ensure that proposals for mineral working in the Trent, Derwent and Lower Dove Valleys show how the restoration of sites will fit in with this long-term restoration strategy for sand and gravel sites in the river valleys.**”*

(v) the wording of the Principal Planning Requirements relating to restoration of minerals works in the river valleys in respect of each of the proposed new sand and gravel allocations which should be strengthened as follows:

*“The restoration of the site should take into account ~~of~~ **requirements relating to the Restoration Strategy for the Trent Valley, as set out in Policy SP19, 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 sand and gravel sites in the river valleys.**”*

(vi) the application of the site assessment methodology for the reasons set out in paragraph 8.26.

- 1.2 The Committee approved delegated authority be given to the Strategic Director (Service Delivery) in consultation with the Chair of Environmental and Development Services to amend the resolution to take account of the committee’s comments about, where practicable**

	<p><i>considering other factors, restoring land to its original use.</i></p>	
7	<p><u>AGENDA ITEM</u> DERBYSHIRE ROAD VERGES PROJECT</p>	
	<p>DECISION:</p> <p><i>1.1 The Committee refused the proposed project plan and the areas of road verge to be included in the scheme.</i></p>	
8	<p><u>AGENDA ITEM</u> NSIP CONSULTATION FOR OAKLANDS SOLAR FARM</p>	
	<p>DECISION:</p> <p><i>1.1 That the Committee considered and resolved the District Council’s approach to securing relevant expert input into topic areas relating to the Oaklands Solar Farm project. Up to this point the District Council had relied upon specialist officers within Derbyshire County Council (DCC) to inform the relevant topics arising from the project where they had expertise which the District Council did not, with the intention that if there are any gaps in specialist advisers with no appropriate in-house expert officers either within the District Council or DCC, then to seek to jointly secure the services of a third-party specialist to advise both authorities on those matters. That the Committee considered and resolved the merits of the alternative approach to securing expert input into topic areas, which would mean the District Council procuring their own third-party expertise from other sources.</i></p> <p><i>1.2 The Committee considered and resolved the District Council’s approach to securing a Planning Performance Agreement (PPA) associated with the project relating to the District Council. The Committee considered and resolved to seek advise on three areas: Transport and Access, Glint and Glare, and Geology, Soils and Agricultural Land.</i></p> <p><i>1.3 That the Committee considered and resolved the District Council’s comments on a targeted re-consultation on recent changes made to the proposals including the additional highways impacts as a result of potential delays to the opening of the Walton bridge.</i></p>	

9	<u>AGENDA ITEM</u> COMMITTEE WORK PROGRAMME	
	DECISION: <i>1.1 The Committee considered and approved the updated work programme.</i>	

DATED: Friday, 21 April 2022

Head of Legal and Democratic Services and Monitoring Officer

- 1 Although it is not necessary to use a prescribed form, copies are available from the Head of Legal and Democratic Services and Monitoring Officer.
- 2 NOTE – this gives an outline of the committee decision for call-in purposes but it does not necessarily reflect the final wording for minute purposes.
- 3 Insert both the agenda item number and its heading.