

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Chamber Suites, The Arc, Clowne, on Wednesday 10<sup>th</sup> December 2014 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor D. McGregor in the chair

Councillors A. Anderson, R. Brooks, J.A. Clifton, T. Connerton, C.P. Cooper, M.G. Crane, S.W. Fritchley, D. Kelly, C. Munks, A.M. Syrett, R. Turner and J. Wilson

Officers:-

J. Arnold (Assistant Director of Planning and Environmental Health), C. Doy (Development Control Manager), P. Sawdon (Principal Planner), J. Fieldsend (Senior Principal Solicitor), S. Chambers (Communications Officer) and A. Brownsword (Governance Officer)

### **0614. APOLOGIES**

Apologies for absence were received from Councillors P.M. Bowmer, B.R. Murray-Carr, G. Parkin and S. Wallis

### **0615. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **0616. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **0617. MINUTES – 12<sup>TH</sup> NOVEMBER 2014**

Moved by Councillor D. Kelly and seconded by Councillor A.M. Syrett

**RESOLVED** that the minutes of a meeting of the Planning Committee held on 12<sup>th</sup> November 2014 be approved as a true and correct record.

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### 0618. SITE VISIT NOTES – 7<sup>TH</sup> NOVEMBER 2014

Moved by Councillor C. Munks and seconded by Councillor D. Kelly

**RESOLVED** that the notes of a site visit held on 7<sup>th</sup> November 2014 be approved as a true and correct record.

### 0619. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- (1) 14/00406/FUL - Residential development of 14 flats, parking area and footway to frontage of Former Ace Of Clubs And Bolsover Grill, Mansfield Road, Hillstown

Further details were included within the Supplementary Report circulated at the meeting, which included details of a further letter of representation. Additional photographs were displayed during the meeting.

The Development Control Manager presented the report which gave details of the application, history and consultations.

Mr N. Gray-Cowley attended the meeting and spoke against the application on behalf of the Hillstown Miners Welfare Trustees. Mr. D. Wood attended the meeting and spoke in support of the application.

The Committee considered the report having regard to the National Planning Policy Framework (NPPF) and the Bolsover District Local Plan, in particular Paragraph 49 of the NPPF and Policy CLT1 (Protection of Existing Buildings Which Serve the Community) and highway safety issues.

It was moved by Councillor M.G. Crane and seconded by Councillor J. Wilson that:

Application 14/00406/FUL be refused on Highway grounds in particular, insufficient parking spaces for the proposed development.

On being put to the vote, the motion was lost and it was:

Moved by Councillor D. McGregor and seconded by Councillor J.A. Clifton

**RESOLVED** that Application No. 14/00406/FUL be APPROVED subject to the following conditions: -

- 1 The development shall be begun before the expiration of three years from the date of this permission.
- 2 Before construction commences on the erection of any building or wall a schedule of wall and roof materials shall first have been submitted to and approved in writing by the Local Planning Authority.

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- 3 No part of the buildings hereby approved shall proceed above damp proof course level until details of both hard and soft landscape works, including a programme for implementation has been submitted to and approved in writing by the Local Planning Authority and the works shall be carried out as approved. The details required under this condition shall include any surfacing to parking and external circulation areas and all means of enclosure (gates, fences and walls).
- 4 If within a period of five years from the date of the planting of any tree or shrub that tree or shrub may die, be removed, uprooted or become seriously damaged it shall be replaced by another of the same species during the first available planting season, unless a variation of the landscaping scheme is approved in writing with the Local Planning Authority.
- 5 Before any other operations except demolition are commenced, the existing access to Mansfield Road shall be modified in accordance with the application drawing A101B with the area in advance of the sightlines being maintained clear of any object greater than 1 m in height at all times thereafter.
- 6 The access, the subject of condition 5 above, shall not be taken into use until 2m x 2m pedestrian intervisibility splays have been provided on both sides of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 1m in height relative to footway level.
- 7 The dwellings, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with revised drawing A101B for the parking and manoeuvring of vehicles, including the proposed cycle parking racks and shelter, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
- 8 Unless otherwise agreed by the Local Planning Authority, development other than demolition and that required to be carried out as part of an approved scheme of remediation must not commence until parts i to iv of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part iii of this condition has been complied with in relation to that contamination.
  - i. Site Characterisation - An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to

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the approval in writing of the Local Planning Authority. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
  - o human health,
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o adjoining land,
  - o groundwaters and surface waters,
  - o ecological systems,
  - o archaeological sites and ancient monuments;
- (c) an appraisal of remedial options, and proposal of the preferred option(s).
  - ii. Submission of Remediation Scheme - If identified as required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
  - iii. Implementation of Approved Remediation Scheme - The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- iv. Reporting of Unexpected Contamination - In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part i of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with

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the requirements of part ii of this condition, which is subject to the approval in writing of the Local Planning Authority.

v. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part iii of this condition.

- 9 In the event that it is proposed to import soil onto site in connection with the development, the proposed soil shall be sampled at source and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme for all parameters, the results of which shall be submitted to the Local Planning Authority for consideration. Only the soil approved in writing by the Local Planning Authority shall be used on site.

(Development Control Manager)

As it was the last Planning Committee before the festive period, the Chairman wished everyone a Merry Christmas and Happy New Year.

The meeting concluded at 1045 hours.