

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in Chamber Suite 1 and 2, The Arc, Clowne, on Wednesday 14th January 2015 at 1000 hours.

PRESENT:-

Members:-

Councillor D. McGregor in the chair

Councillors A. Anderson, J.A. Clifton, T. Connerton, M.G. Crane, S.W. Fritchley, D. Kelly, C. Munks, B.R. Murray-Carr, G. Parkin, A.M. Syrett, R. Turner and J. Wilson

Also in attendance were Councillors J.E. Smith, A. Tomlinson and G.O. Webster.

Officers:-

C. Doy (Development Control Manager), P. Sawdon (Principal Planner) (until Minute No.0704(i)), S. Phillipson (Principal Planner) (from Minute No. 0704(ii)), J. Fieldsend (Senior Principal Solicitor), A. Brownsword (Governance Officer) and A. Dobbs (Observing)

0699. APOLOGIES

Apologies for absence were received from Councillors P.M. Bowmer and S. Wallis.

0700. URGENT ITEMS OF BUSINESS

There were no urgent items of business however, the Chairman drew attention to the Supplementary Report and allowed Members time to read the additional letter in the report.

0701. DECLARATIONS OF INTEREST

There were no declarations of interest

0702. MINUTES – 10TH DECEMBER 2014

Moved by Councillor J.A. Clifton and seconded by Councillor D. Kelly
RESOLVED that the minutes of a meeting of the Planning Committee held on 10th December 2014 be approved as a true and correct record.

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0703. SITE VISIT MINUTES – 5TH DECEMBER 2014

Moved by Councillor R. Turner and seconded by Councillor A.M. Syrett

RESOLVED that the minutes of a site visit held on 5th December 2014 be approved.

0704. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- (i) 14/00188/FULMAJ - Change of use to an Open Storage Yard (B8) with access from Berristow Lane, siting of portable building and gatehouse, erection of boundary fences and formation of screen mounds and associated works including improvements along access road at Former Blackwell Tip, 500M North East Of Amber Park, Berristow Lane, Berristow Lane Industrial Estate, South Normanton.

Further details were included within the Supplementary Report which included a letter of representation and a plan which had been omitted from the main report.

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

Mr. N. Maddox and Mr. P. Leverton attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the National Planning Policy Framework (NPPF) and the Bolsover District Local Plan, in particular Paragraph 14 of the NPPF and Policy ENV3 (Development in the Countryside), highway safety issues and ecological impacts.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor J.A. Clifton

RESOLVED that Application No. 14/00188/FULMAJ be DEFERRED pending exploration of access provisions to Berristow Lane, to include detailed surveyed drawings along the full length of the access road to the site and installation of the green route.

(Development Control Manager)

- (ii) 14/00446/FUL - Change of use of stable block to dwelling at Castle Hill Farm, Walls Lane, Whitwell Common, Worksop

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

Councillor McGregor left the meeting during the presentation by the Development Control Manager

Councillor C. Munks in the Chair

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Councillor G. Webster attended the meeting and spoke in support of the application.

Councillor McGregor returned to the meeting.

Councillor D. McGregor in the Chair

Ms. M. Rowson attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the NPPF and Bolsover District Local Plan, in particular Paragraph 55 of the NPPF and Policies GEN8 (Settlement Frameworks) and ENV3 (Development in the Countryside)

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

RESOLVED that Application No. 14/00446/FUL be REFUSED for the following reasons:

- 1) The site is outside the settlement framework as defined by policy GEN8 (Settlement Frameworks) of the Bolsover District Local Plan, where open countryside policies apply. Outside settlement frameworks, new development should be necessary in such a location and in particular new dwellings should be essential to the operation of agriculture or forestry. There has been no justification given of the need for the dwellings in this unsustainable countryside location and the proposal is therefore contrary to the requirements of policy HOU9 (Essential New Dwellings In The Countryside) of the Bolsover District Local Plan and paragraph 55 of the National Planning Policy Framework.
- 2) The site represents an unsustainable location poorly related to the existing built infrastructure of any settlements and accessed by a single track access over 600m long which is also a public right of way. It would represent a further domestication of buildings in the open countryside beyond established boundaries which is contrary to policy ENV3 (Development in the Countryside) of the adopted Local Plan and paragraph 17 bullet points 5 and 11 of the National Planning Policy Framework .

Notes

It is noted that the conflict between the public right of way and the vehicular access could be addressed through the submission of a scheme for additional passing places on the lane.

(Development Control Manager)

- (iii) 14/00474/REM - Erection of 40 dwellings including associated infrastructure and garaging accessed from Thurgaton Way and including a new pedestrian access link between 53 and 55 Alfreton Road (including details of appearance, landscaping, layout and scale) at Land to the Rear of 27 To 53 Alfreton Road, Newton

Further consultation responses were included within the Supplementary Report.

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

Councillor A. Tomlinson and Mr. G. Heaseman attended the meeting and spoke against the application.

Mr. S. Ingle attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the NPPF and Bolsover District Local Plan, in particular Paragraph 17 of the NPPF and Policies GEN2 (Impact of Development on the Environment)

Moved by Councillor A.M. Syrett and seconded by Councillor J.A. Clifton

RESOLVED that Application No. 14/00474/REM be APPROVED subject to the following conditions to be formulated in full by the Assistant Director of Planning and Environmental Health:

Conditions

1. The development shall be undertaken in accordance with the submitted schedule of finished floor levels (Rev. A – 26.11.14).
2. The development shall be undertaken in accordance with the submitted external materials schedule dated 12.11.14.
3. All porch and bay window and lean-to roofs shall be constructed from timber with a painted finish underneath a roof covering of small format tiles.
4. Notwithstanding the meter box detail shown on the submitted house type drawings, where reasonably practicable, meter boxes shall not be positioned on the front elevation and shall be positioned on a less prominent side elevation and coloured in a finish that tonally matches the background material.
5. With the exception of the Landscaped Buffer Zone on the southern boundary of the site (which is dealt with by condition 4 of the outline planning permission), the approved landscaping drawings (C-1231-01 and 02 Revision A submitted on 17/12/14) shall have been implemented before any of the respective dwellings have been occupied. In addition a scheme for the maintenance of the street trees shall have been submitted to the Local Planning Authority for consideration and approval prior to the occupation of any of the dwellings and the approved maintenance scheme shall thereafter be implemented.
6. The approved boundary details (fencing, walling and railings etc) shown on layout plan NE2/PL/01C shall be implemented before any of the respective dwellings have been occupied, except as may be revised following agreement in writing with the Local Planning Authority in relation to the boundary fronting the landscaped buffer zone adjacent to the southern boundary as may be necessary to accommodate public art works required under condition 16 of the outline planning permission.

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Advisory Notes to Applicant

1. The developer is reminded of the need to comply with all of the conditions of the outline planning permission (14/00065/OUTMAJ) in addition to the conditions of this approval of reserved matters.
2. The Developer is reminded of the need to comply with the obligations of the Section 106 Agreement (legal agreement) completed in association with the outline planning permission.
3. Amended drawings as relevant (list).
4. For the avoidance of doubt the landscaping detail submitted with this reserved matters permission does not fully discharge all of the requirements of condition 4 of the outline planning permission. This matter is being dealt with under a separate application for discharge of conditions (14/00494/DISCON).
5. You are advised that the Council will not provide refuse, recycling and composting bins for the development hereby approved; either the developer or the purchaser of the property will have to purchase the bins from the Council. You are advised to provide guidance to purchasers about the bin scheme to ensure that their waste will be collected after occupation. If further advice on this issue is needed you should contact the Council's Waste Collection Service on 01246 242424.
6. Certain plant and animal species, including all wild birds, are protected under the Wildlife and Countryside Act 1981. It is an offence to ill-treat any animal; to kill, injure, sell or take protected species (with certain exceptions); or intentionally to damage, destroy or obstruct their places of shelter. It is thus an offence to take, damage or destroy a wild birds nest whilst in use or being built. Hedgerows or trees containing nests should therefore not be removed, lopped or topped during the nesting season. Bats enjoy additional protection. It is an offence to kill, injure or disturb bats founds in the non-living areas of a dwelling house (that is, in the loft) or in any other place without first notifying English Nature. Some other animals are protected under their own legislation (e.g. the Protection of Badgers Act 1992).
7. Plus Highway Notes

The meeting concluded at 1225 hours.