



Date: 27th March 2015

The Arc
High Street
Clowne
Derbyshire
S43 4JY

Dear Sir or Madam

You are hereby summoned to attend a meeting of the Planning Committee of Bolsover District Council to be held in the Chamber Suites, The Arc, Clowne, on Wednesday 8th April 2015 at 1000 hours.

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 2.

Yours faithfully

Assistant Director of Governance and Monitoring Officer
To: Chairman and Members of the Planning Committee

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PLANNING COMMITTEE

AGENDA

Wednesday 8th April 2015 at 1000 hours in
the Chamber Suites, The Arc, Clowne

Item No.		Page No.(s)
	PART 1 – OPEN ITEMS	
1.	<u>Apologies for Absence</u>	
2.	<u>Urgent Items of Business</u>	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972	
3.	<u>Declarations of Interest</u>	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	To approve the minutes of a meeting held on 11 th February 2015	3 to 16
5.	Notes of a Planning Site Visit – 6 th February 2015	17
6.	Applications to be determined under the Town & Country Planning Acts.	
	(i) 14/00495/FUL - Retention of tree house at 37 Low Common, Barlborough, Chesterfield, S21 3WG.	18 to 24
7.	Tenth Annual Monitoring Report	25 to 105

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Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Chamber Suites, The Arc, Clowne, on Wednesday 11th February 2015 at 1000 hours.

PRESENT:-

Members:-

Councillor D. McGregor in the chair

Councillors A. Anderson, P.M. Bowmer, T. Connerton, C.P. Cooper, M.G. Crane, M.G. Fritchley, D. Kelly, C. Munks, B.R. Murray-Carr, G. Parkin, R. Turner, J. Wilson

Officers:-

J. Arnold (Assistant Director of Planning and Environmental Health) (with the exception of Minute No. 0801(v)), C. Doy (Development Control Manager), T. Ball (Principal Planning Officer) (until Minute No. 0802), H. Fairfax (Planning Policy Manager) (from Minute No. 0802), A. Rhodes (Principal Planner) (from Minute No. 0802) and A. Brownsword (Governance Officer).

0795. APOLOGIES

Apologies for absence were received from Councillors R. Brooks, J.A. Clifton, S. Statter, A.M. Syrett and S. Wallis

0796. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0797. DECLARATIONS OF INTEREST

There were no declarations of interest.

0798. MINUTES

Moved by Councillor B.R. Murray-Carr and seconded by Councillor G. Parkin
RESOLVED that the minutes of a meeting of the Planning Committee of Bolsover District Council held on 14th January 2015 be approved as a true and correct record.

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0799. SITE VISIT MINUTES

Moved by Councillor D. McGregor and seconded by Councillor R. Turner

RESOLVED that the notes of a Planning Site Visit held on 12th January 2015 be approved as a true and correct record.

0800. ORDER OF BUSINESS

Due to members of the public being present, the Chair consented to the order of business being changed.

0801. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- i) 14/00390/FUL - Installation of a 500kW wind turbine with tip height of 64m and associated infrastructure including substation, vehicular access track from Pasture Lane and crane pad at Land to the South East Of Twin Yards Farm, Huthwaite Lane, Old Blackwell.

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

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

The Committee considered the application having regard to the National Planning Policy Framework (NPPF), the Bolsover District Local Plan and DCLG guidance.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor D. Kelly

RESOLVED that Application No. 14/00390/FUL be APPROVED subject to the following conditions given in précis form, to be formulated in full by the Assistant Director of Planning and Environmental Health.

Conditions

1. Start within 3 years.
2. The generation of electricity from the development shall cease no later than 25 years after the first commercial generation of electricity from the turbine after which time the site shall be restored in accordance with the approved Decommissioning and Site Restoration Scheme approved under condition [4] below.
3. The wind farm operator shall, within one month of the first commercial generation of electricity from the turbines to the electricity grid, notify the local planning authority in writing of that date.
4. No later than 3 years before the expiry of the planning permission hereby granted, a Decommissioning and Site Restoration Scheme shall be submitted

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to and approved in writing by the local planning authority. The scheme shall include the methods and measures and timetable to secure the removal of the turbine, the turbine base to one metre below ground level and all other elements of the development and related restoration site measures. The scheme shall be implemented as approved.

5. If the wind turbine fails to produce electricity to the grid for a continuous period of 12 months, the wind turbine, the wind turbine base to one metre below ground level, and its associated ancillary equipment shall be removed.
6. Construction works shall be carried out in accordance with the recommendations (section 6 page 22) of the submitted Ecological Walk-over Survey. In the event that that construction works are planned to take place outside the months of December to February a working method statement for the protection of Great Crested Newts shall first have been submitted to and approved in writing by the Local Planning Authority and construction works shall only be undertaken in accordance with the approved method statement.
7. Before any development is commenced on the application site a scheme, including a means to ensure its delivery (such as a completed unilateral undertaking under S106 of the TCP Act), to ensure the provision of skylark mitigation measures shall have been submitted to and approved in writing by the Local Planning Authority. Unless an alternative has been approved in writing by the Local Planning Authority, the mitigation shall include the sowing of spring cereal on the field shown hatched on drawing A1/BOWMAN/001 for the lifetime of the turbine or in the event that spring cereal cannot be sown, details providing for the creation of skylark plots within that field shall have been submitted to the Local Planning Authority for approval in writing. The approved mitigation shall have been implemented within one year of the commencement of development.
8. No wind turbine components from the development hereby permitted that require an abnormal load movement on the strategic road network shall take place, until a comprehensive transport strategy has been agreed in writing with the Local Planning Authority in consultation with the Highways Agency.
9. The external materials of the substations shall be coloured dark green or an alternative which has been approved in writing by the Local Planning Authority.
10. Intrusive site investigation works shall be undertaken prior to development starting in order to establish the exact situation regarding coal mining legacy issues on the site. In the event that the site investigations confirm the need for remedial works to treat areas of shallow mine workings and/or mine entries to ensure the safety and stability of the proposed development, the remediation scheme shall have been submitted to and been approved by the LPA in consultation with the CA and the approved scheme shall be undertaken as approved.

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Notes to Applicant including:-

In addition to the abnormal loads movement strategy to be approved under condition 8 above for the strategic road network, no wind turbine components from the development hereby permitted that require abnormal load movement on the local highway system should take place prior to the completion of an agreement with the Local Highway Authority (Derbyshire County Council). This should include provision of a report setting out the recording of current highway condition and repair of any damage to the highway caused by abnormal loads and including the route to be taken for abnormal load and measures to assist the manoeuvres of abnormal loads. Any modifications within the highway will need to be the subject of an agreement under S278 of the Highways Act. Detailed proposals and timing for abnormal loads need to be agreed with DCC and at least 6 weeks notice of highway works must be given.

Notification of commencement to MOD, EM Airport,

Permission is granted for the specific location shown in the submitted application site plan (26.08.14) and the turbine position must be established on site by means of survey grade equipment employing earth station correction to enhance accuracy. It cannot be assumed that any deviation from the approved position would be acceptable.

The installation of the turbine should be scheduled to commence to avoid the bird breeding season which extends from March to late August inclusive unless a pre-commencement check of the site by a suitably experienced ecologist has confirmed the absence of any ground nesting birds.

Protection/temporary stopping up of public right of way.

Planning permission does not dispense with the need to comply with legislation to prevent nuisance from noise or shadow flicker.

(Development Control Manager)

Councillor Crane requested that his vote against the above decision be recorded.

- ii) 14/00551/FUL - Erection of 42 detached dwellings; new access road, drainage attenuation and landscaping (revised scheme including widening of footway on Carter Lane West) at Land Between M1 Motorway And Rear Of 1 To 7 Southfields Drive And 14 To 24 Carter Lane West, South Normanton.

Further details were included on the Supplementary Report.

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

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Mr. W. Greensmith attended the meeting and spoke against the application and Mr. A. Flatman attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the National Planning Policy Framework (NPPF), the Bolsover District Local Plan and in particular, policies GEN1 (Minimum requirements for Development) and GEN2 (Impact of Development on the Environment)

Moved by Councillor S.W. Fritchley and seconded by Councillor M.G. Crane

RESOLVED that Application No. 14/00551/FUL be DEFERRED and delegated to the Assistant Director of Planning in consultation with Chair and Vice Chair of Planning Committee pending completion of an appropriate S106 Planning Obligation to cover the following issues which are given in précis form to be formulated in full by the Assistant Director Planning and with consideration of matters to be covered by conditions as set out below:

Affordable Housing – commitment to deliver 10% of the dwellings within 3 years of grant of planning permission and at least 50% within 5 years of grant of planning permission otherwise the affordable housing requirement of 10% of the development (4 units) will be required.

Public Open Space – off-site contributions for informal/childrens play of £31,374 plus formal sport and recreation £37,296 - total £68,670
The adoption/maintenance of the surface water detention basin and any other 'common' open areas.

Education - £45,596.04 financial contribution towards the provision of 4 primary school places at Brigg Infant School.

Public Art – on-site provision to enhance the development (or another alternative to be agreed) to a value of £5,000.

Contribution to fund Traffic Regulation Order (£3,000).

Conditions to cover the following:

- Start within 3 years.
- Noise mitigation prior to occupation of any dwelling to protect from noise from the M1.
- Drainage details to be approved prior to commencement, to also provide for future maintenance including the connection of the surface water drain to the Highways Agency system.
- Validation details to verify that the remedial works for ground contamination have been undertaken in accordance with the submitted remediation scheme to be submitted to the LPA for approval.
- Widening of footway on Carter Lane West to 2m over its full length prior to any other activity commencing on site
- Details of alignment of footway along Mansfield Road to be submitted for approval, to be provided no later than occupation of 30th dwelling (or in

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- accordance with a timetable to be agreed).
- Highway Agency Conditions.
- Local Highway Authority conditions (to include site compound details, parking of site traffic, deliveries etc.)
- Urban design requirements (materials of construction, provision of landscaping and front boundary treatments etc.).
- Ecological mitigation (gaps under fences to allow for grass snakes; habitat management scheme including retention/layering of hedgerows, new planting and the SuDS basin).
- Maintenance of landscaping.
- Boundary treatment to existing adjoining dwellings to be implemented no later than occupation of related dwelling.
- Construction Management Plan.

Notes to Applicant:

The Coal Authority gives the following advice:

The proposed development lies within an area that has been defined by The Coal Authority as containing a potential hazard arising from former coal mining activity.

The developer has undertaken extensive work to try and locate a mine entry believed to be on site. No trace of the mine entry has been located.

If during any construction activity any suspected trace of this potential mine entry is unexpectedly encountered during development, this should be reported immediately to The Coal Authority on the 24 hour emergency line 01623 646 333. Further information is available on The Coal Authority website

www.gov.uk/government/organisations/the-coal-authority

The Local Highway Authority (Derbyshire County Council) has provided various advisory notes with their consultation response which can be viewed with the application documents on the Councils' web site.

The Highways Agency provides the following information:

The highway mitigation works associated with this consent involves works within the public highway, which is land over which you have no control. The Highways Agency (the Agency) therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works.

Contact should be made with the Agency's Section 278 Business Manager David Steventon to discuss these matters on david.steventon@highways.gsi.gov.uk.

The applicant should be made aware that any works undertaken to the Highways Agency (the Agency) network are carried out under the Network Occupancy Management policy, in accordance with the Agency's procedures, which currently requires notification/booking 12 months prior to the proposed start date. Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The Area 7 MAC's contact details for these matters is area7.roadspace@aone.uk.com.

(Development Control Manager)

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- iii) 14/00622/OTHER - Variation of Section 106 agreement relating to 09/00370/OUTMAJ to reduce affordable housing to 10% at Rear Of 16 To 124 And South West Of 124 And Between Brickyard Farm And Barlborough Links, Chesterfield Road, Barlborough.

Further details were included on the Supplementary Report.

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

Mr. K. Hopkinson attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the National Planning Policy Framework (NPPF), the Bolsover District Local Plan and in particular, policy HOU6 (Affordable Housing) and Bolsover District Council Supplementary Planning Guidance: Affordable Housing (SPG).

Moved by Councillor S.W. Fritchley and seconded by Councillor D. Kelly

RESOLVED that the S106 Planning Obligation associated with planning permission reference No. 09/00370/OUTMAJ, for residential and commercial development including new roundabout and associated roads on land at Chesterfield Road Barlborough be varied to reduce the Affordable Housing requirement for people in housing need with a connection with Barlborough from a level of provision of 33% to 10% of the dwellings to be built. The remaining terms of the S106 Planning Obligation remain (play area and amenity space, off-site sports provision, education contribution, cessation of scaffolding business use).

(Development Control Manager)

- iv) 14/00057/OUTMAJ - Outline consent for residential development, including means of access and demolition of Bungalow at High Ash Farm (As amended by revised Landscape and Visual Appraisal submitted on 20th March 2014, revised proposed junction access drawing submitted on 1st April 2014 and proposed visibility splays drawing submitted on 7th April 2014) at High Ash Farm, Mansfield Road, Clowne, Chesterfield.

Further details and an amended recommendation were included on the Supplementary Report.

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

The Committee considered the application having regard to the National Planning Policy Framework (NPPF), the Bolsover District Local Plan and the adopted design guide 'Successful Places'

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Moved by Councillor B.R. Murray-Carr and seconded by Councillor S.W. Fritchley
RESOLVED that Application No. 14/00057/OUTMAJ be DEFERRED and delegated to the Assistant Director of Planning and Environmental Health in consultation with the Chair and Vice Chair of the Planning Committee subject to the completion of a S106 Agreement covering the heads of terms set out below and subject to consideration of the conditions given in précis form and to be formulated in full by the Assistant Director of Planning:

S106 Heads of Terms:

- The development shall comprise 10% affordable housing unless at least 10% of the open market dwellings have been practically completed within 3 years of the date of the permission and at least 50% practically completed within 5 years of the date of the permission;
- Transfer of open space area to the Council, along with a capital sum for improvements to that land and maintenance contribution;
- Education contribution (Derbyshire County Council requested sum pro-rata to take account of extant commitment from the existing planning permission on the majority of the site);
- Public Art Contribution of £10,000; and
- Contribution of £11,500 to provision of footpath link from the site to the existing public footpath network.

Conditions

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
2. Approval of the details of the layout, scale, appearance, access (except for the new junction identified on drawing nos. TPLE1030-100 and TPLE1030-101, dated Sept 2013,) and landscaping shall be obtained from the Local Planning Authority in writing before any development is commenced.
3. The plans and particulars submitted for landscaping in accordance with conditions 1 and 2 above shall include full details of settlement edge treatment on the site boundaries that do not abut common boundaries with existing residential properties, including a programme of implementation, maintenance and proposals for its long term management, shall have been submitted to and approved in writing by the Local Planning Authority. The planting shall be carried out, and thereafter maintained, in accordance with the approved plans and programme, unless written approval to any variation is given by the Local Planning Authority.
4. Notwithstanding the submitted information, no development shall take place until the site has been subject to a detailed scheme for the investigation and recording of contamination of the land and risks to the development, its future users and surrounding environment. A detailed written report on the findings

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including proposals and a programme for the remediation of any contaminated areas and protective measures to be incorporated into buildings shall be submitted to and approved in writing by the local planning authority. The report shall include proposals for the disposal of surface water during remediation. The remediation works shall be carried out and a validation report submitted to and approved in writing by the local planning authority in accordance with the approved proposal and programme. If during the course of the development further evidence of any type relating to other contamination is revealed, work at the location will cease until such contamination is investigated and remediation measures approved in writing by the local planning authority have been implemented.

5. In the event that it is proposed to import soil onto site in connection with the development for any reason other than as may be authorised for contamination remediation under condition 6, unless otherwise approved in writing by the Local Planning Authority, 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 previously agreed with the Local Planning Authority, the results of which shall be submitted to the Local Planning Authority for consideration. Only soil(s) approved in writing by the Local Planning Authority under this condition shall be imported onto site.
6. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:
 - Surface water drainage system(s) designed in accordance with CIRIA C697 and C687 or the National SuDS Standards, should the later be in force when the detailed design of the surface water drainage system is undertaken.
 - Limiting the discharge rate generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm ideally to Greenfield rates for the site but as a minimum so that it will not exceed the run-off from the undeveloped site and will not increase the risk of flooding off-site. Discharge from the site must not exceed 9.4l/s.
 - The ground condition and ability to percolate. The primary method of disposal of surface water should be through the utilisation of soakaways.
 - Provision of surface water run-off attenuation storage in accordance with the requirements specified in '*Science Report SC030219 Rainfall Management for Developments*'
 - Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

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- Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development, to ensure long term operation to design parameters.
7. No other operations on site shall be commenced until a temporary access for remediation and construction purposes has been formed to Mansfield Road, laid out in accordance with a detailed design first submitted to and approved in writing by the Local Planning Authority. The access shall have a minimum width of 5.5m and be provided with 2 x 2m footways, 6m radii. Visibility sightline extending from a point 2.4m back from the carriageway edge, measured along the centre line of the access, extending 130m on the southerly direction and 90m to the north are required and can be provided within existing highway limits.
 8. Prior to any dwelling being first occupied on site the new access shall be formed to Mansfield Road. The access shall be laid out in accordance with the application drawing TPLE1030 - 100 comprising a carriageway width of 5.5m constructed to base, 2 x 2m footways constructed to base and 6m radii.
 9. The gradient of the access shall not exceed 1:30 for the first 10m into the site from the existing highway boundary and 1:20 thereafter.

Notes

1. The proposals shown on the *Draft Layout Plan* raise a number of design issues that will need to be addressed as part of any future proposals. As such, this drawing should not form the basis of any subsequent application for reserved matters and in preparing any reserved matters submission(s) your attention is drawn to the various consultee comments, in particular those of the Council's Urban Designer, all of which can be viewed on the Council's website at www.bolsover.gov.uk
2. 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. In order to safeguard nesting birds on site, no vegetation clearance or building demolition work should be undertaken between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and appropriate measures to protect the nesting bird interest on the site, have been implemented. Bats enjoy additional protection. It is an offence to kill, injure or disturb bats found 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). Further advice can also be obtained from the Derbyshire Wildlife Trust on 01773 881188.

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3. Paragraph 109 of The National Planning Policy Framework (NPPF) states that 'the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible...'. The retention of the hedgerows on site is supported and it is considered that additional hedgerow and tree planting is included as part of the landscaping scheme. To ensure the long-term future and management of the perimeter hedgerows we would advise that they should not be incorporated into the curtilage of the residential properties but should be located alongside paths, green space or roads. It is recommended that any new landscaping planting, including any new hedgerow and tree planting, should use native species appropriate to the landscape character area to be of maximum benefit to wildlife. In addition, consideration should be given to the incorporation of bird nesting and bat roosting opportunities into the new properties and in perimeter trees to enhance the biodiversity value of the site.
4. During any site clearance work it will be important to ensure that Himalayan balsam that has been recorded on site is not spread. Himalayan balsam is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which effectively means that it is an offence to cause the spread of such a plant as a result of development operations. Measures should be put in place to ensure that this plant is not spread within the site or off-site.
5. In respect of condition 4, prior to the preparation of any additional studies any developer is strongly encouraged to contact the Council's Environmental Health Department for advice about the site history and requirements for such study work. A copy of the Environmental Health Officers comments on this application and the original permission, along with other consultation responses can be viewed on the Council's website at www.bolsover.co.uk.
6. In preparing any reserved matters that incorporate highways that are intended to be adopted, attention should be had to the latest design guide of the Derbyshire County Highways Authority, along with the following guidance of that Authority:-

No development should take place until a construction management plan or construction method statement has been prepared that should be adhered to throughout the construction period. The statement shall provide for the storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking of site operatives and visitors' vehicles, routes for construction traffic, hours of operation, method of prevention of debris being carried onto highway, pedestrian and cyclist protection, proposed temporary traffic restrictions and arrangements for turning vehicles.

Throughout the period of development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.

The new access road shall be laid out, constructed, drained and lit all in accordance with Derbyshire County Council's specifications for new estate streets.

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The Highway Authority should be consulted in respect of any surface water drainage scheme.

Parking should be provided at a rate of a minimum of 2 spaces for each plot. For the avoidance of doubt, where a garage is counted as a parking space, the internal dimensions should not be less than 3m x 6m.

Bin stores shall be provided within private land at the entrance to shared private accesses to prevent refuse bins and collection vehicles standing on the new estate street for longer than necessary causing an obstruction or inconvenience for other road users.

Any gates shall be set back at least 5m from the highway boundary and open inwards only.

A swept path diagram should be submitted at Reserved Matter stage to demonstrate that emergency, goods and service vehicles can adequately enter, manoeuvre within the site and leave in a forward gear.

On the basis that the development effectively forms part of a larger development, a Travel Plan should be submitted at Reserved Matters stage to tie in with the Travel Plan submitted and approved for the adjacent development to the north. The Travel Plan shall set out proposals, including a timetable to promote and monitor travel by sustainable modes which are acceptable to the Local Planning Authority, with a view to being implemented in accordance with the timetable set out therein.

(Development Control Manager)

The Assistant Director of Planning and Environmental Health left the meeting during discussion of the following item of business.

- v) 14/00064/NCO - Outline application for a 795 dwelling scheme with associated ancillary uses, including a Local Centre, a Neighbourhood Equipped Areas of Play (NEAP), a Local Equipped Area of Play (LEAP), a Riverside Park, a Local Habitat Area, two SUDS, footpaths, walkways, cycle paths and landscaping, with details of access (14/00145/OL) at Former Coalite Site on the North West and South East sides of Buttermilk Lane, Duckmanton, Chesterfield.

Further details were included on the Supplementary Report and it was noted that the item had been referred to the Planning Committee by the Development Control Manager.

The Development Control Manager explained that the Application had been made to North East Derbyshire District Council (NEDDC) and it was important to ensure that

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the views of Bolsover District Council were communicated. Further information was awaited regarding Environmental Health matters.

Moved by Councillor D. McGregor and seconded by Councillor R. Turner
RESOLVED that a response to North East Derbyshire District Council be DEFERRED until further information is received, in order to give the application full consideration.

(Development Control Manager)

The Assistant Director of Planning and Environmental Health returned to the meeting.

- vi) 14/00577/OTHER - Variation of S106 Planning Obligation to remove the requirement to make a contribution to affordable housing at Land Adjoining North Side of Blind Lane, Bolsover.

Further details were included within the Supplementary Report

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

The Committee considered the application having regard to the National Planning Policy Framework (NPPF), the Bolsover District Local Plan and in particular Policy HOU6 (Affordable Housing) and the Bolsover District Council Supplementary Planning Guidance: Affordable Housing (SPG).

Moved by Councillor S.W. Fritchley and seconded by Councillor D. McGregor
RESOLVED that in accordance with Subsection (5) of Section 106BA of the Town and Country Planning Act 1990 (as amended) Bolsover District Council determines that the planning obligation associated with planning application 10/00568/OUT for residential development of approximately 250 dwellings on land to the north side of Blind Lane Bolsover is modified to remove the requirement for the Affordable Housing contribution subject to after a period of three years from the date of this determination the original terms of the S106 Planning Obligation applying in proportion to any part of the development upon which the construction of dwellings has not commenced.

(Development Control Manager)

The Principal Planning Officer left the meeting.

The Planning Policy Manager and the Principal Planner entered the meeting.

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0802. FIVE YEAR HOUSING SUPPLY

The Planning Policy Manager presented the report which gave details of the background to the assessment of the Council's five year supply of deliverable housing and reaffirmed the guidelines used for the assessment of applications for residential development when the Council does not have a five year supply of deliverable sites.

It was noted that the Council could now set its own target, which was 240 homes per annum, however, due to the fact that the Council had failed to deliver against this target in the period since 2011 and that any under delivery must be reconciled within the 5 year supply in addition to a 20% buffer. This meant that the actual yearly total was much higher.

The Assistant Director of Planning and Environmental Health noted that the five year supply was fundamental to the Local Plan, as the growth agenda was the main issue to the Council.

Members expressed their concerns regarding the need to build big housing estates where residents did not want them in order to create a five year supply.

Moved by Councillor D. McGregor and seconded by Councillor D. Kelly

RESOLVED that (1) the report be noted,

(2) the assessment of the Council's current five-year supply of deliverable housing sites as set out at Appendix A of the report, be approved,

(3) the updated guidelines set out in Appendix B of the report and their continued use in the assessment of planning applications for residential development in situations when the Council does not have a five year supply of housing be approved,

(4) authority be given to publish on the Council's website the 5 Year Supply Assessment (Appendix A) of the report; the Amended Guidelines (Appendix B) of the report; and Schedule of Deliverable Sites in the five year supply (Appendix C) of the report,

(5) delegated authority be given to the Joint Assistant Director of Planning and Environmental Health to make any minor changes to the text or information referred to in recommendation 4 prior to publication.

(Planning Policy Manager)

The meeting concluded at 1145 hours.

Notes of a Planning Site Visit held on 6th February 2015 commencing at 1000 hours.

PRESENT:-

Members:-

Councillor D. McGregor in the Chair

Councillors J.A. Clifton, C.P. Cooper, D. Kelly, C. Munks, R. Turner, J. Wilson.

Officers:-

C. Doy (Development Control Manager)

1. APOLOGIES

Apologies for absence were received from Councillors T.J. Connerton, B.R. Murray-Carr, G. Parkin, A.M. Syrett, S. Wallis.

2. SITE VISITED

Application: 14/00057/OUTMAJ Residential development former High Ash Farm,
Mansfield Road, Clowne

The meeting concluded at 1025 hours.

PARISH Barlborough

APPLICATION Retention of tree house
LOCATION 37 Low Common Barlborough Chesterfield S21 3WG
APPLICANT Mr Craig Brownell 37 Low Common Renishaw Sheffield S21 3WG United Kingdom
APPLICATION NO. 14/00495/FUL **FILE NO.** PP-03730100
CASE OFFICER Mrs Karen Wake (Mon, Tues, Wed)
DATE RECEIVED 21st October 2014

Delegated Application Referred to Committee by Assistant Director of Planning
Reason: Judgement on impacts on residential amenity and green belt

SITE

Two storey semi-detached dwelling set within an area of open countryside in the Green Belt. The property has a long rear garden which slopes up to the rear away from the house. There is a large detached outbuilding to the rear of the dwelling with a further garden area to the rear of the outbuilding. There is a hedge approx 2.5m high along the southern side boundary with an attached dwelling beyond. The attached dwelling also has a detached outbuilding to the rear, adjacent to the site boundary. There is a hedge approx 2m high along the northern side boundary with a field beyond and a high hedge along the rear site boundary.

PROPOSAL

The application is for the retention of three raised platforms, one of which has a shed type building erected on it for use as a tree house. The platform containing the shed has a timber staircase up to it and each of the platforms are to have timber balustrade around the edges and are proposed to be linked via rope bridges. The platforms are constructed on/around the trunks of trees previously growing on the site.

AMENDMENTS

Plans originally submitted were inaccurate. Accurate plans, to scale have now been submitted.

HISTORY (if relevant)

13/00012/FUL: Single storey extension to front and side of outbuilding to form garage and games room: Approved 22/2/2013

12/00517/FUL: Single storey extension to front and side of outbuilding to form garage and games room: Approved 20/12/2012

10/00406/RETRO: Retention of decking to front: Approved 6/12/2010

CONSULTATIONS

DCC Highways: No objections: 18/11/2014

PUBLICITY

Site notice and 1 neighbour notified. No representations received

POLICY

Bolsover District Local Plan (BDLP)

GEN 1 (Minimum Requirements for Development)

GEN 2 (Impact of Development on the Environment)

GEN 9 (Development in the Green Belt)

National Planning Policy Framework

Paragraph 17: take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 79: The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 87: As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 88: When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Other (specify)

Successful Places- A Guide to Sustainable Housing Layout and Design

ASSESSMENT

The site is outside of any settlement frameworks, within the Green Belt. The garden area on which the tree house and platforms are to be erected is higher than the houses on the front and the layout of the garden is such that this part is immediately to the rear of the neighbouring house. Together with the proximity to the boundary the development has the potential for a different impact to more conventional tree houses.

The main issues for consideration in the determination of the application are the effect of the development on the rural character and appearance of the area and the openness of the Green Belt and the effect on the amenity of the occupiers of neighbouring residential properties.

Impact on the Rural Character and Appearance of the Area and the Openness of the Green Belt

The property on site has a large rear garden, the rear part of which is higher than the dwelling. The platforms are towards the rear of the garden in an elevated position. The platforms are more than 2.5m high with balustrade above and a blue shed/tree house positioned on top of one of the platforms. The result is that the development is fairly prominent in views from outside the site. Whilst these views are limited in some directions, the

domestic nature of the development and its prominence means that the development is considered to have a harmful, urbanising impact on the rural character of the area and the openness of the Green Belt. The fact that views are restricted isn't considered to overcome this concern. The proposal is therefore considered to be contrary to the requirements of Policies GEN 2 and GEN 9 of the Bolsover District Local Plan and the guidance given in the NPPF.

Impact on the Amenity of Occupiers of adjacent Properties

The boundary of the site between the dwelling on site and the attached property is stepped, such that part of the rear garden on site extends behind the attached property. Two of the raised platforms, including the one with the shed/tree house on top are positioned adjacent or close to the site boundary, behind the attached dwelling. The proposal therefore results in panoramic views over the entire rear garden of the attached property and the garden beyond that to the south of the site.

This is considered to have a significant detrimental impact on the privacy and amenity of residents of these dwellings. It is accepted that the proposal is some 34m from the attached dwelling itself which is in excess of the normal separation requirements for overlooking.

However two of the platforms are less than 2.5m from the boundary of the site with the private garden of the neighbouring dwelling. The open nature of the platforms and their elevated position on higher ground, mean that the proposal is considered to have an un-neighbourly impact which results in a loss of privacy or a strong perception of loss of privacy for residents of adjacent dwellings. The use of the facility may also result in noise and disturbance for these residents, which given the visibility of the facility renders this impact more intrusive than would occur at ground level.

It is accepted that the adjacent properties have large rear gardens and in an urban area some degree of overlooking of gardens by adjacent properties may be considered acceptable. However, the site is within the countryside and the Green Belt where the perception of openness and privacy can reasonably be expected by its residents particularly where the development has an urbanising impact. The introduction of such a potentially un-neighbourly development in this situation is considered to cause significant harm to the residents of adjacent dwellings contrary to the requirements of Policy GEN 2 of the Bolsover District Local Plan.

Whilst some of the overlooking could be addressed by screening the raised platforms, this would raise the height and increase the built form of the development further adding to its intrusive impact in the Green Belt.

Consideration has been given to what could be built under permitted development rules but officers consider that this does not alter the balance of judgement in this case.

Other Matters

Listed Building: N/A

Conservation Area: N/A

Crime and Disorder: N/A

Equalities: N/A
Access for Disabled: N/A
Trees (Preservation and Planting): N/A
SSSI Impacts: N/A
Biodiversity: N/A
Human Rights: No issues relating to this proposal

As the application is for retrospective planning permission if permission is refused it will be necessary to take action to secure the removal of the development.

Conclusion:

The decision is a balanced judgement on the impacts of the development taking account of the reasonable expectations of the applicant to enjoy the benefit of his land and the impacts on neighbours and a judgement about the impact on the Green Belt.

Regard has been had to the fact that these are large gardens and some separation distances between the development and neighbours facilities (such as the dwellinghouse) exceed the Councils guidelines (in the Successful Places guidance). The elevated nature of the development is felt to increase the impacts requiring the normal guidelines to be set aside.

RECOMMENDATIONS:

1:Refuse for the following reasons:

1. The platforms are towards the rear of the garden in an elevated position. The platforms are more than 2.5m high with balustrade above and a blue shed/tree house positioned on top of one of the platforms. The result is that the development is fairly prominent in views from outside the site. Whilst these views are limited in some directions, the domestic nature of the development and its prominence means that the development is considered to have a harmful, urbanising impact on the rural character of the area and the openness of the Green Belt contrary to the requirements of Policies GEN 2 and GEN 9 of the Bolsover District Local Plan and the policy of the NPPF.
2. Two of the raised platforms, including the one with the shed/tree house on top are positioned close to the site boundary, behind the attached neighbouring dwelling. The proposal therefore results in panoramic views over the entire rear garden of the attached property and the garden beyond that to the south of the site resulting in a significant detrimental impact on the privacy and amenity of residents of these dwellings from overlooking. The open nature of the platforms and their elevated position on higher ground, mean that the proposal is considered to have an un-neighbourly impact which results in a loss of privacy for residents of adjacent dwellings and may also result in noise and disturbance for these residents when the platforms are in use contrary to the requirements of Policy GEN 2 of the Bolsover District Local Plan.

Statement of Decision Making process

The proposal is contrary to the policies for protection of the Green Belt and residential amenity. It is not considered that minor alterations could be negotiated to make the proposal acceptable in policy or impact terms. The decision has been taken in accordance with these policies and guidelines and in accord with the guidelines of the National

Planning Policy Framework.

2: Enforcement Notice be issued to require removal of the platforms and shed within 3 months of the date of the issue of the notice.

Application No.: 14/00495/FUL



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Date Produced: 17th March 2015



Bolsover District Council

Planning Committee

11th March 2015

Tenth Annual Monitoring Report

Report of the Joint Assistant of Planning and Environmental Health

This report is public

Purpose of the Report

- The report is a covering report for the 10th Annual Planning Monitoring Report.
- The Annual Planning Monitoring Report provides a review of policies in the saved Bolsover District Local Plan against set indicators and targets. The monitoring process allows an assessment to be made of how well policies are performing.

Report Details

Background

- 1.1 There is a statutory requirement under Part 8 and Section 34 of The Town and Country Planning (Local Planning) (England) Regulations 2012 to prepare an Annual Planning Monitoring Report. The report highlights the work being done in the preparation of planning documents and also monitors the performance of the current Bolsover District Local Plan. To build up a detailed picture of performance over time, most of the indicators from previous years have been retained.
- 1.2 The Annual Planning Monitoring Report is essentially a technical document pulling together information on key aspects of the work carried out by the planning team, together with relevant background information in relation to the district. A copy of this year's Annual Planning Monitoring Report is attached at Appendix A.

Issues for consideration – co-operation

- 1.3 The Council has continued to participate in a range of groups to ensure development needs such as infrastructure are addressed across district boundaries, and that the development needs of the wider area are met. For example the Coalite site straddles the district boundary and a Coalite Project Control Board has now been set up across the two Councils to oversee the development of a regeneration Strategy and Action Plan for this site.

- 1.4 Co-operation also aims to help to achieve economies through the production of joint studies, for example the Strategic Housing Market Assessment which was undertaken on behalf of the four authorities in the Housing Market Area¹.
- 1.5 The council has also been part of an initiative to produce a housing design guide. The Guide was a finalist in two national awards² and has been entered into the 2015 awards of the East Midlands branch of the Royal Town Planning Institute.

Issues for consideration – milestones and studies

- 1.6 Although the report covers the period from 1 April 2013 to the end of March 2014, significant changes after this date are also reported.
- 1.7 A statutory requirement of the Annual Planning Monitoring Report is to report on progress made against the timetable in the Council's Local Development Scheme (LDS). All of the milestones in the Local Development Scheme in the monitoring year were met. Following the withdrawal of the Local Plan Strategy in June 2014, a new Local Development Scheme has been prepared setting out future milestones for the development of a single Local Plan. The new LDS came into force in October 2014.
- 1.8 The following studies and reports were prepared or updated in the monitoring year:
- Rationale for Strategic Sites April 2013
 - Viability Appraisal of Local Plan Strategy April 2013
 - Employment Land Portfolio October 2013
 - Successful Places – A Guide to Sustainable Housing Layout and Design Guide Supplementary Planning Document October 2013
 - Statement of Co-operation November 2013
 - Update to Local Development Scheme November 2013
 - Bolsover Green Space Audit Quality, and Accessibility Report (update) December 2013
 - Coalite Position Paper December 2013
 - Local Strategy Statement Updated December 2013
 - Employment Topic Paper December 2013

¹ Bassetlaw DC, Bolsover DC, Chesterfield BC, & North-East Derbyshire DC

² National Urban Design Group Awards (Public Sector Awards category) and the Royal Town Planning Institute Planning Excellence Awards (Innovative Planning Practice in Plan Making category).

- Housing Position Paper December 2013
- Local Strategy Statement December 2013
- Paper on Local Plan Strategy Evidence Base and Background Documents December 2013
- Sustainability Appraisal (addendum) December 2013
- Strategic Housing Land Availability Assessment December 2013
- Submission version of the Local Plan Strategy and modifications December 2013
- Five Year Supply (annual update) December 2013
- Annual Monitoring Planning Monitoring Report January 2014

Issues for consideration – Applications and Appeals

- 1.9 2013/14 showed a significant increase in the number of planning applications determined (541 up from 437 in the previous monitoring year). Despite the increased workload more applications overall were determined in a shorter time. 95% of the applications determined were granted. This is consistent with the high levels of approval in previous years. In terms of the types of applications granted, there was a significant increase in the number of applications for major³ housing development (13 up from 6 in the previous monitoring year), and changes of use (39 up from 25 in the previous monitoring year).

Issues for consideration - Contextual Indicators and Managing Development Impacts

- 1.10 Indicator CX5 shows that there was a slight decrease in the recorded unemployment level in the district, mirroring trends at national and county level. Indicator CX9 shows that both Bolsover and Derbyshire as a whole have higher than UK levels of residents over retirement age. Indicator CX10 indicates that life expectancy for both men and women in the district is still just below the national and regional average. However, the gap is closing. The UK and regional average for men has increased by 0.7 years. The average for men in Bolsover increased by 0.9 years over the same period. Similarly, for women, the UK and regional average has increased by 5 months, whilst in Bolsover district it has increased by 1.2 months. This means that overall, the gap in life expectancy between residents in Bolsover and the UK and region is now less than a year for both sexes.

³ Major housing development is defined as sites of 10 or more dwellings

- 1.11 The report shows that the targets in relation to flood defence and water quality, air quality, hazardous substances, and waste reduction have all been met again this year.

Issues for consideration – Housing

- 1.12 Following the revocation of the East Midlands Regional Plan, the housing requirement has been based on the objectively assessed need for the district identified in the joint Strategic Housing Market Assessment of 240 dwellings a year⁴. 244 new dwellings were built in the district in the monitoring year. However, due to demolitions and changes of use the net total drops to 136 new dwellings. The majority of demolitions were on two tarran sites at New Houghton and Shirebrook, and these are in the process of being replaced by new dwellings. However, the single main loss was 38 units Portland Place/ The White Swan in Shirebrook. These were demolished as part of a redevelopment scheme that is now unlikely to go ahead in the near future following the decision of Tesco to withdraw from the re-development of this site.
- 1.13 Indicator B8 shows that 61 of the new dwellings built were affordable homes. This amounts to almost 25% of new dwellings and is a significant increase on the 25 developed in the previous monitoring year.
- 1.14 53% of new dwellings built in the district were built on brownfield land, with the majority (55%) of homes developed on major sites being built at medium (between 30 – 50 dwellings a hectare) density.
- 1.15 As noted in the report on the five year supply,⁵ most of the factors in calculating the five year supply of deliverable housing sites changed this year. Based on the latest assessment, the Council does not currently have a five year housing supply. The level of deliverable supply amounts to 2.5 years. The supply falls short of the requirement by 1,044 dwellings. However, appendix 8 of the Annual Planning Monitoring shows that planning permission was granted for an additional 915 dwellings between 1st April 2014 and 20th February 2015.⁶

Issues for consideration – Employment

- 1.16 22,168 square metres of floorspace were developed for employment uses. Although lower than the previous two years which contained significant new developments, this level of development is encouraging as it suggests that the annual level of new floorspace is returning to pre-recession levels. The largest employment site developed in the district was for warehousing (as were the largest employment sites in the previous two years). Another development of note although not a traditional

⁴ Actual figure was 235 -240. The slightly higher figure has been used for the purposes of assessment.

⁵ Considered by members of the Planning Committee at their meeting on 11th February 2015

⁶ However, it should be noted that not all of these dwellings will contribute to the five year supply, as some will not be 'deliverable' within five years.

employment use is the extension to the Sports Direct shop/training facility at Brook Park, Shirebrook, where 4,560 square metres of retail floorspace was developed⁷.

- 1.17 27% of all new employment floorspace was built on brownfield land. Although this is below the target of 60%, it represents an improvement on last year's total of 10.2%.
- 1.18 As creating new jobs is a priority for the Council planning policies aim to minimise the loss of employment land and premises. Indicators C7 and C8 show that only 0.018ha of land was lost in the monitoring year (all to minor residential use).
- 1.19 The monitoring of employment land shows not only that employment floorspace is being developed to provide new jobs, but also that there is still a wide range of land available to accommodate new employment uses throughout the district. The amount of land allocated or with planning permission amounts to 11.23 years supply.

Issues for consideration – Shopping and Town Centres

- 1.20 The main retail development in the district in the monitoring year was the extension to the Sports Direct shop at Shirebrook. The total amount of retail floorspace developed decreased from the previous year. However, it is important to note that monitoring information collated over the years shows that this type of development in the district does not tend to follow a consistent pattern.
- 1.21 Aside from the development at Sports Direct, there has been very little recorded floorspace developed for town centre uses, and an even smaller amount developed within town centres. Four shops were lost to residential use. Two drinking establishments were lost (one in Creswell to residential use, and one in Shirebrook which was demolished). Overall, the limited demand for new retail uses in the district, particularly in town centres, and the loss of retail and other town centre uses is a concern for the future vitality and viability of town and local centres in the district. However, the Council has been successful in obtaining European Development Fund money for Bolsover town. Alongside the physical improvement to the town, there has been a new marketing campaign to rebrand Bolsover and capitalise on visitors to the Castle. This has included; a website; new town trail leaflets; new interpretation boards; and, trying to grow Bolsover market.
- 1.22 An objective of the Bolsover draft Economic Development and Strategic Housing Strategy is to realise the vitality and viability of town centres in the district, and policies in the new Bolsover Local Plan will play a key role in achieving this objective.

Issues for consideration – Community Facilities, Recreation, and Tourism

- 1.23 There was a slight increase in the number of community buildings either converted to residential use or demolished in the monitoring year.

⁷ It should be noted that this total is included in the retail floorspace totals, rather than the 22,168 sq m of traditional employment uses.

- 1.24 1,090 metres of new greenways were completed at two locations at Castle Fields in Bolsover, and Poulter Country Park. This is an increase on the 693m constructed in the previous monitoring year.
- 1.25 In terms of visitor numbers to the main tourist attractions in the district, Hardwick Hall continued to be the most popular destination. However, there were increases in visitor numbers to both Creswell Crags and Bolsover Castle.

Issues for consideration – Transport and Accessibility

- 1.26 The indicators in this section help to assess how sustainable major⁸ new housing developments in the district are by measuring the distances between sites and essential services. Once again all of the sites were within the targets for essential services. In addition there were significant improvements in the percentage of sites built within 2,000m of a secondary school (from 50% last year to 71% this year), and sites built within 400m of a primary school (from 25% last year to 71% this year).

Issues for consideration - Conservation of the Historic and Built Environment

- 1.27 All of the targets for indicators in this section were met. In addition, the district has benefited from two successful funding bids. The first of these was from the European Regional Development Fund, and has helped to secure a number of significant improvements, including:
- environmental enhancement scheme in the Market Place and Castle Street including repaving in natural stone with new stone benches;
 - Re-branding of the town centre with new town centre logos, street furniture, interpretation boards, banners and Christmas lights;
 - Events programme including food and drink fair, Christmas market and antiques fair.
- 1.28 The second successful bid was for money from the Heritage Lottery Fund for the repair and restoration of 194 former miner's cottages at New Bolsover Model Village. A stage 2 bid is due to be submitted in August at 2015.

Issues for consideration – Countryside and Natural Environment

- 1.29 All of the targets for this suite of indicators were met in the monitoring year. A new area of Open Mosaic Grassland at Barlborough Country Park has been added to the register of Sites of Interests for Nature Conservation (SINC). The amount of land in the district identified as being of interest for nature conservation has increased year on year since 2008. This year Bolsover is the only district in the county to record a net gain in the amount of land covered by a SINC.

⁸ Major new housing developments = 10 dwellings or more.

2 Conclusions and Reasons for Recommendation

- 2.1 The Annual Planning Monitoring Report again shows that the saved policies in the Bolsover District Local Plan are being used effectively. Despite development in the region still being below pre-recession levels, the district is recording increases in the amount of new housing and in employment floorspace developed. The issue of the level of retail development and its impact on the four main towns is a long standing concern⁹. However, it is anticipated that the initiatives described above and future improvements will increase vitality and viability. The current Local Plan is also helping to deliver welcome improvements to both the built and natural environments in the district. Overall, policies in the current Local Plan continue to be effective in steering growth to appropriate locations and securing much needed growth in the district.

3 Consultation and Equality Impact

- 3.1 Other Officers involved in the preparation of this report were: Development Control Manager; Principal Planner (Policy); Assistant Planner (Policy), and Senior Planning Technician.
- 3.2 Members consulted during the preparation of the report: Cllr Kelly and Cllr McGregor

4 Alternative Options and Reasons for Rejection

- 4.1 As noted above there is a requirement under Part 8 and paragraph 34 of The Town and Country Planning (Local Planning) (England) Regulations 2012 to produce an Annual Planning Monitoring Report.

5 Implications

Finance and Risk Implications

- 5.1 The production of the Report is an annual reporting requirement. As such it can be funded from existing budgets.

Legal Implications including Data Protection

- 5.2 In addition to the above requirement under the regulations, the Council has a statutory duty under Part 2 and Section 13 of the Planning and Compulsory Purchase Act 2004 to keep under review the matters which may be expected to affect the development of their area. The development of land for housing is a key issue that affects the growth of the district.

Human Resources Implications

⁹ For example it was highlighted in the 2006 Retail Needs Assessment and subsequent studies and town centre health checks.

5.3 The assessment can be met within existing staffing resources.

6 RECOMMENDATIONS

6.1 That the Planning Committee:

- 1) Notes the content of the tenth Annual Planning Monitoring Report and approves its publication on the Council's website.
- 2) Gives delegated authority to the Joint Assistant Director of Planning and Environmental Health to make any minor textural changes prior to publication.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	N/A
Links to Corporate Plan priorities or Policy Framework	Monitoring can identify policies and initiatives that are working, and those where changes are need to achieve objectives. As such this work has potential impacts on the following corporate aims: COMMUNITY SAFETY – Ensuring that communities are safe and secure ENVIRONMENT – Promoting and enhancing a clear and sustainable environment REGENERATION – Developing healthy, prosperous and sustainable communities

8 Document Information

Appendix No	Title
A	Annual Planning Monitoring Report Tenth edition 1 st April

	2013 – 31 st March 2014
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Helen Fairfax	2299/7168

Please Note:

The Appendix to the Tenth Annual Monitoring Report is available by contacting the Governance Team on:

Tel: 01246 242529

Or

planning.committee@bolsover.gov.uk