

## 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 27<sup>th</sup> May 2015 at 1100 hours.

### **PRESENT:-**

Members:-

Councillor D. McGregor in the Chair

Councillors T. Alexander, P.M. Bowmer, J.A. Clifton, T. Connerton, C.P. Cooper, M.G. Crane, M. Dooley, S.W. Fritchley, T. Munro, B.R. Murray-Carr, J. Ritchie, P. Smith, B. Watson, D. Watson and J. Wilson

Officers:-

J. Arnold (Assistant Director – Planning and Environmental Health), T. Ball (Principal Planner – Development Control), S. Phillipson (Principal Planner - Development Control), K. Shillitto (Principal Solicitor), S. Chambers (Communications Manager) and A. Brownsword (Governance Officer)

### **0029. APOLOGIES**

Apologies for absence were received from Councillors H.J. Gilmour and S. Statter.

### **0030. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **0031. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **0032. MINUTES – 8<sup>TH</sup> APRIL 2015**

Moved by Councillor B.R. Murray-Carr and seconded by Councillor S.W. Fritchley **RESOLVED** that the minutes of a meeting of the Planning Committee held on 8<sup>th</sup> April 2015 be approved as a true and correct record.

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### 0033. PLANNING SITE VISIT NOTES – 2<sup>ND</sup> APRIL 2015

Moved by Councillor D. McGregor and seconded by Councillor J. Wilson

**RESOLVED** that the Planning Site Visit Notes of the 2<sup>nd</sup> April 2015 be approved as a true and correct record.

### 0034. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACT

- 1) 14/00490/FUL - Erection of 7 dwellings with access off Court View at Former Clowne Tennis Club, Rood Lane, Clowne

Further information from the Local Highway Authority and additional conditions to the recommendation were included within the Supplementary Report.

The Principal Planner – Development Control presented the report which gave details of the application, site history and consultations carried out.

Councillor J.E. Smith and Mr. J. Davies attended the meeting and spoke against the application.

The Committee considered the application having regard to the Bolsover District Local Plan, the National Planning Policy Framework and the Interim Supplementary Planning Document: 'Successful Places, a Guide to Sustainable Housing Layout and Design'

It was moved by Councillor M.G. Crane and seconded by Councillor S.W. Fritchley that the application be refused on highway safety grounds.

Following further discussion, it was:

Moved by Councillor B.R. Murray Carr and seconded by Councillor B. Watson that the application be deferred. On being put to the vote, the amendment was won and it was:

**RESOLVED** that Application 14/00490/FUL be DEFERRED for consideration of the provision of access to the site off Rood Lane, Clowne.

(Principal Planner - Development Control)

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- 2) 14/00594/OUT - Residential development including the provision of open space, commercial/community use with vehicular access from Meadow Lane including details of reserved matters of access at Land to the East Of Common Lane, North Of Meadow Lane And West Of Stinting Lane, Shirebrook

Revised conditions to the recommendations were included within the Supplementary Report.

The Principal Planner - Development Control presented the report which gave details of the application, site history and consultations carried out.

Dr. E.D. Barrett of Shires Healthcare, Shirebrook attended the meeting and spoke about the potential impacts of the application on the Doctors Practice.

Mr. S. Rosillo, Agent for the Applicant, attended the meeting and spoke in support of the application.

It was confirmed that the contribution of £551 per dwelling to secure an extension to the existing healthcare provision, which could potentially be secured through S.106 negotiations, would be £358,150, if 650 dwellings were provided, not £385,150 as stated in the report.

The Committee considered the application having regard to the Bolsover District Local Plan, the National Planning Policy Framework, the Conceptual Spatial Masterplan and the Interim Supplementary Planning Document: 'Successful Places, a Guide to Sustainable Housing Layout and Design'

Moved by Councillor S.W. Fritchley and seconded by Councillor J.A. Clifton

**RESOLVED** that Application No. 14/00594/OUT be DEFERRED pending satisfactory completion of a S106 planning obligation or unilateral undertaking to secure the obligations set out in the report (in respect of potential contributions for off-site highway works, Shires Doctors Practice, and/or to incentivise a site bus service) and delegate the decision to the Assistant Director of Planning in consultation with Chair and Vice Chair of Planning, subject to the inclusion of the following conditions set out below in précis/draft form to be formulated in full by the Assistant Director of Planning if minded to approve.

### Conditions

1. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development, or phase of development, is commenced on site or on that phase of development. A phase of development shall

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accord with a phasing plan which has beforehand been submitted to and approved in writing by the Local Planning Authority under condition 2 below.

2. The first application for approval of reserved matters for the development or any phase of development shall be accompanied by a phasing and delivery plan for the whole site for the consideration and written approval of the Local Planning Authority. The phasing and deliver plan shall identify development phases and set out the order of development and triggers for the delivery of the infrastructure of the site as generally set out by the Illustrative Masterplan submitted with the application and by the Brookvale Development Brief (by Atkins for the Homes and Communities Agency and Bolsover District Council). The phasing and delivery plan shall also establish arrangements for the delivery of:-

- the main distributor estate roads;
- approximately 6ha of public green spaces (including approximate locations of SuDS features where relevant, recreation space, Multi Use Games Area and LEAP standard play area, foot and cycle paths, connections to the Bracken Road open space and to Stinting Lane and ecological enhancement areas including hedgerows and trees to be retained and planted);
- the location of any commercial development;

All later applications shall accord with the approved phasing and delivery plan unless a variation to it has been approved in writing by the Local Planning Authority.

X. Applications for approval of reserved matters shall generally accord with the design principles for the site as set out in the Brookvale Development Brief (by Atkins for the Homes and Communities Agency and Bolsover District Council).

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this permission and the first such application, relating to one of the phases, shall be made within 3 years of the date of this permission.

4. The development hereby approved shall be begun either before the expiration of three years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters within a phase whichever is the later.

5. a) No development within any phase involving the disturbance of ground shall take place until a plan identifying areas of archaeological interest which still require further evaluation has been submitted to and approved in writing by the Local Planning Authority.

No development within a phase containing an identified area of archaeological interests shown on the approved plan shall take place until a Written Scheme of Investigation for further archaeological work has been submitted to and approved by the local planning authority in writing in respect of that phase, and until any pre-start element of the approved scheme has been completed to the written satisfaction of

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the local planning authority. The scheme shall include an assessment of significance and research questions; and

- (i). The programme and methodology of site investigation and recording
- (ii). The programme for post investigation assessment
- (iii). Provision to be made for analysis of the site investigation and recording
- (iv). Provision to be made for publication and dissemination of the analysis and records of the site investigation
- (v). Provision to be made for archive deposition of the analysis and records of the site investigation
- (vi). Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

5. b) No development involving the disturbance of ground within an area of archaeological interest shown on the approved plan shall take place ~~within a phase~~ other than in accordance with the archaeological Written Scheme of Investigation approved under condition 5(a).

5. c) The development shall not be brought into use within a phase subject to archaeological work, until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision has been made for analysis, publication and dissemination of results and archive deposition has been secured.

6. In accordance with the recommendations at section 12 of the submitted Phase 1 Geo-environmental and Geotechnical Desk Study Report no development shall commence within any phase until a scheme to assess the nature and extent of any ground contamination (include ground gas monitoring for phases adjacent to the eastern site boundary) which may affect that phase of development has been submitted to and approved in writing by the local planning authority and until any pre-start remediation requirements of the approved scheme have been completed to the written satisfaction of the local planning authority. Any other post commencement mitigation requirements approved shall be undertaken in accordance with the timetable set out in the approved scheme.

*(Note to Applicant - The Scheme will need to include the steps set out in the consultation response of the Environmental Protection Officer dated 28<sup>th</sup> January 2015, including: site characterisation; submission of a remediation scheme; implementation of the approved remediation scheme; reporting of unexpected contamination; and importation of soil)*

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7. The layout details and landscaping details to be submitted in accordance with condition 1 shall include the retention of existing trees and hedgerows where practicable and shall also include compensatory replacement hedgerow planting for that which is removed and that which was removed to create the access road into the site under permission 14/00156/FUL.

8. Application for approval of reserved matters within each phase of development shall be accompanied by an Ecological Design Strategy for consideration and approval by the Local Planning Authority. The Strategy shall address ecological mitigation, compensation and enhancement opportunities, a timetable for implementation and details of their future maintenance. The approved strategy shall be implemented as approved.

9. No dwelling shall be occupied with a phase until a landscape management plan with maintenance schedules for all hard and soft landscaped areas (except privately owned domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. Landscaped areas shall then be maintained in accordance with the approved plan. Any subsequent variations shall be submitted for consideration to and approved in writing by the local planning authority.

10. No development within any phase involving the disturbance of ground shall take place until a construction management plan has been submitted to and approved in writing by the LPA. The plan shall include: construction compound location, provision of wheel wash facilities, dust management and noise management measures (to have regard to operating hours/days for noisy activity including bedrock excavation). The approved construction management plan shall be implemented as approved.

11. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with an agreed timetable which shall form part of the scheme. The scheme to be submitted shall demonstrate:

- That the proposed surface water drainage scheme does not increase the rate of runoff and flood risk to third parties downstream;
- The utilisation of holding sustainable drainage techniques;
- The limitation of surface water run-off from the site to equivalent Greenfield rates, or adequate assessment that the existing infrastructure sufficiently manages surface water from the proposed development to an appropriate Greenfield runoff rate;
- The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations;
- That surface water is drained via a gravity solution and that pumping is not required unless it can be demonstrated that pumping is the only practical option; and
- Responsibility for the future maintenance of drainage features.

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12. Any facilities above ground for the storage of oils, fuels or chemicals shall be provided with adequate, durable secondary containment to prevent the escape of pollutants.

13. No development within any phase involving the construction of roads or foundations shall take place until a scheme for the disposal of foul sewage from the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented.

14. The plans and particulars submitted in accordance with application for approval of reserved matters of layout shall include details of existing and finished ground levels on and adjacent to the site and of the proposed road levels and ground floor levels of the buildings.

15. The layout of the site shall be designed so as not to prejudice the future provision of a highway link to Bracken Road suitable for use by public transport and shall incorporate a distributor road designed to be suitable for use by public transport.

16. The gradient of the vehicular accesses into the site shall not exceed 1:30 for the first 10m into the site from the existing highway boundary and 1:20 thereafter.

17. Notwithstanding the detail contained within the submitted Travel Plan, no building shall be occupied or the use commenced until a revised Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The revised Travel Plan shall consider the County Highway Authority's advice (15/01/2015) and shall include immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets.

18. No more than 200 dwellings shall have been occupied until a NEAP (Neighbourhood Area for Play) standard play area and MUGA (Multi-Use Games Area) have been provided on site in accordance with a detailed scheme, including details of maintenance responsibilities for at least the first 10 years after completion, which has been submitted to and approved in writing by the Local Planning Authority.

### Advisory Notes to Applicant (Full list of notes and wording to be delegated to Assistant Director of Planning)

No removal of vegetation within bird nesting season unless an ecologist has checked for active bird nests immediately beforehand.

Future detailed design work should be prepared in accordance with the Brookvale Development Brief and Successful Places Interim SPD (Housing Layout and Design). Tools such as Building for Life 12 could be used to assist in refining the detailed design proposals, ideally with the Local Planning Authority in conjunction with the applicants design team. Further design advice on this site is included with the Urban Design Officers consultation response dated 06.02.15.

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A swept path diagram will need to be submitted at Reserved Matters stage to demonstrate that emergency and service vehicles can adequately manoeuvre throughout the site and leave in a forward gear.

The design of the layout will generally need to account for at least 2 off-street car parking spaces per dwelling.

The Local Planning Authority would welcome an element of mobility bungalow provision within the housing mix on this site to help address the need in the area.

(Principal Planner - Development Control)

The meeting concluded at 1252 hours.