

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday, 22nd July 2015 at 1000 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 (from Minute No. 0222(iii)), S.W. Fritchley, H.J. Gilmour, B.R. Murray-Carr, M.J. Ritchie, P. Smith, S. Statter, B. Watson, D. Watson and J. Wilson.

Officers:-

C. Doy (Development Control Manager), P. Sawdon (Principal Planner), S. Phillipson (Principal Planner), S. Chambers (Communications Manager), J. Fieldsend (Senior Principal Solicitor) and A. Brownsword (Governance Officer)

0218. APOLOGY

An apology for absence was received from Councillor T. Munro.

0219. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0220. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Agenda Item No.	Member	Level of Interest
6(iii)	Councillor J.A. Clifton	Non significant Non Statutory Interest
	Councillor M. Dooley	Non significant Non Statutory Interest

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	Councillor P. Smith	Discloseable Pecuniary Interest
6 (iv)	Councillor J.A. Clifton	Non Significant Non Statutory Interest

0221. MINUTES – 24TH JUNE 2015

Moved by Councillor J.A. Clifton and seconded by Councillor J. Wilson

RESOLVED that the minutes of a meeting of the Planning Committee held on 24th June 2015 be approved as a true and correct record.

0222. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACT

- (i) 14/00518/OUT- Residential development of up to 101 dwellings and community building up to 500sq. m. (Use Class D1 and/or D2) including details of access. Land to the North West of Broad Lane, Hodthorpe.

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 carried out.

Mr. G. Berrell and Mrs. D. Potts attended the meeting and spoke against the application. Mr. A. Willis attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the Bolsover District Local Plan, the National Planning Policy Framework and the adopted Green Space Strategy.

Moved By Councillor B.R. Murray-Carr and seconded by Councillor D. McGregor
RESOLVED that Application No. 14/00518/OUT be DEFERRED for the following reasons:-

- A. until the Executive/Council has decided whether or not the Council would agree to a pedestrian link being provided to St Martin's Walk and/or Greenfield Avenue (unless it transpires that sufficient highway land is available to provide a footpath link such that the District Council's permission as landowner is not necessary) and;

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B. until a satisfactory Section 106 Planning Obligation has been completed to secure obligations:-

Children's play at £75,447

Adult recreation at £89,688 (subject to consideration of on-site semi-natural green space)

Public art at 1% = (potentially £99,417)

Community Building 350sqm area, provided by the developer to value not exceeding build cost £1,222/sqm (max value £427,700)

10% affordable housing on site.

2. Provided that A and B above are satisfied, Delegate the decision to the Assistant Director of Planning in consultation with Chair and Vice Chair of Planning, and 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:-

Approval of reserved matters

Application for approval of reserved matters made within 3 years, development to commence within 3 years or 2 years of approval of reserved matters

No commencement until provision secured for a pedestrian/cycle link(s) to St Martin's Walk and/or Greenfield Avenue

Reserved matters to accord with the general extent of development as shown of the indicative plan to preserve the rural setting of the listed building and countryside edge

Revised design and access statement with application for reserved matters approval to take account of Urban Design and Crime Prevention Officer advice

No development prior to submission and approval (in consultation with Network Rail) of an assessment of the adequacy of the railway pedestrian crossing to deal with the additional pedestrians resulting from the development. Any enhancement measures to be implemented prior to the occupation of any dwellings

Submission and approval and implementation of details of surface water and foul sewage disposal. Surface water treatment to include SuDS and details of maintenance of them

Contaminated land survey and mitigation if necessary

Ecological Mitigation and Enhancement Scheme including retention and enhancement of the boundary hedgerows and retention of the Ash tree

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Landscape Management Plan

Provision of play area on site

Reserved matters to be accompanied by a noise report identifying properties affected by noise (including rail noise) and the facades of properties which need acoustic glazing and ventilation

Site and Floor level detail

Highway conditions:-

Provision of temporary access

Provision of access junction 2.4m x 33m visibility in both directions and 2m footways.

Access gradient

Surface water disposal detail

The approved Travel Plan to be implemented.

Notes to Applicant:

Urban Design Officer Advice.

Note a public sewer is located within the site – contact STW to seek advice.

To discuss the location of the community building prior to submission of reserved matters.

2 off street parking spaces per dwelling.

Bin stores to shared drives.

Reserved matters to be accompanied by swept path detail for large vehicles.

Rights of way on site to be protected.

(Development Control Manager/Governance Officer)

- (ii) 14/00512/FUL - Change of use to Showman's Winter Quarters for 14 plots; construction of access road and plot divisions including front boundary walls; installation of services; diversion of public footpath 27 along proposed road. Land to The South Of FW Masons And Sons Ltd Station Road, Pinxton.

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

Mr. H. Wilson attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the Bolsover District Local Plan and the National Planning Policy Framework

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

RESOLVED that Application No. 14/00512/FUL be REFUSED for the following reasons:

1. The site lies within the historic flood plain of the River Erewash and within Flood Zone 3b as defined by the Environment Agency. The inclusion of a residential use introduces a highly vulnerable use within functional flood plain which is inappropriate. In addition, the raising of land levels within the site would reduce the storage capacity of the site in the event of a flood increasing the risk of flooding elsewhere. As such development of the site would be contrary to policy GEN5_Land Drainage of the Bolsover District Local Plan and paragraphs 100 and 103 of the NPPF.
2. The proposed development would result in the loss or degradation of semi natural scrub and wet woodland habitat and with no significant measures to avoid, minimise or compensate for the ecological impacts the development will result in a net loss in biodiversity. As such the proposal is contrary to the requirements of policy ENV5 Nature Conservation Interests throughout the District and paragraph 117, 118 of the NPPF.

(Development Control Manager)

Councillor M. Dooley declared a Significant Non Statutory Interest in the following item of business. Councillor Dooley spoke in support of the application and then left the meeting and took no part in the discussion or voting thereof.

Councillor P. Smith declared a Discloseable Pecuniary Interest in the following item of business and left the meeting and took no part in the discussion or voting thereof.

Councillor J.A. Clifton declared a Non Significant Non Statutory Interest in the following item of business.

- iii) 15/00220/FUL - Demolition of public house and erection of five bungalows. Former Greyhound Inn, Town Street, Pinxton.

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

Councillor M. Dooley spoke in support of the application and then left the meeting.

Ms. C. Caldecourt, Mr. N. Gray-Cowley and Mr. M. Chapman attended the meeting and spoke in support of the application.

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The Committee considered the application having regard to the Bolsover District Local Plan, National Planning Policy Framework , National Planning Practice Guidance – Design (ID26) and the Interim Supplementary Planning Document: Successful Places. A Guide to Sustainable Housing Layout and Design.

Moved by Councillor D. McGregor and seconded by Councillor T. Connerton

RESOLVED that Application No. 15/00220/FUL be DEFERRED subject to further negotiations on the relocation of plot 5 bungalow and garage to better relate to the streetscene of Alfreton Road and the proposed development and additional specimen tree planting around the site frontage and the decision be delegated to the Assistant Director of Planning to APPROVE the amended application subject to the normal conditions.

(Development Control Manager)

Councillors M. Dooley and P. Smith returned to the meeting.

Councillor S. Statter left the meeting prior to discussion of the following item of business.

Councillor J.A. Clifton having previously declared a Non Significant Non Statutory Interest in the following item of business, left the meeting and took no part in the discussion or voting thereof.

- iv) 15/00154/FUL - Rear two storey extension to provide 6 lane 25 x 13m swimming pool, 12 x 5m baby pool, feature water flume, children's play area, wet village change and toilets for male and female, disabled change facilities, cafeteria and viewing area and plant room at ground floor level. Extension to existing fitness suite, 2 No. dance studios, spinning studio and office accommodation at first floor level. Extension to car park. The Arc, High Street, Clowne.

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

Mr. L. Hickin attended the meeting and spoke in support of the application.

The Committee considered the application, having regard to the Bolsover District Local Plan and the National Planning Policy Framework.

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Moved by Councillor B. Watson and seconded by Councillor T. Connerton
RESOLVED that Application No. 15/00154/FUL be APPROVED subject to the following conditions:

- 1 The development shall be begun before the expiration of three years from the date of this permission.
- 2 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- 3 The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought in to use.
- 4 The extension to the leisure facilities hereby approved shall not be brought into use unless and until:
 - a) An assessment of sound has been undertaken and a scheme specifying the provisions to be made for the control of sound emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall identify and quantify all sound sources from the development and shall assess the significance of the sound impact, taking into account the uncertainty of the assessment at the centre point of any garden attached to neighbouring dwellings in accordance with the methodology described in the British Standard BS4142:2014 Methods for rating and assessing industrial and commercial sound.
 - b) Upon completion of all works within the approved scheme a validation report shall be completed by a competent person and shall be submitted to and approved in writing by the Local Planning Authority.
 - c) The approved scheme has been implemented in full and shall be retained in place at all times following its implementation.
- 5 Prior to the extension to the leisure facilities being brought into use, a Travel Plan shall be created for the whole of The Arc including the workshop building, submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including modal shift targets, a

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timetable and management responsibilities) to promote travel by sustainable modes such that additional vehicle movements at the site access to High Street are limited to a maximum level set out in the Plan. Reports demonstrating progress in promoting sustainable travel together with monitoring of traffic flows at the access shall be submitted annually to the Local Planning Authority for written approval on the anniversary of the date of the first bringing the additional leisure facilities into use for a period of 5 years.

- 6 In the event that vehicle trips at the site access exceed the maximum levels as defined in the approved Travel Plan (the subject of condition 5 above), a highway improvement scheme shall be submitted for approval to the Local Planning Authority within 60 days of the trigger being exceeded and shall be implemented as approved within 6 months of the approval of the scheme by the Local Planning Authority, or within such other timescale as may otherwise be approved in writing by the Local Planning Authority.
- 7 The extension to the leisure facilities hereby approved shall not be brought into public use until the proposed car park extension has been laid out in accordance with the submitted application drawings, constructed, drained and lit in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.
8. The extension to the leisure facilities hereby approved shall not be brought into public use until improved pedestrian directional signage has been provided in accordance with a scheme that shall previously have been submitted to and approved in writing by the Local Planning Authority, which shall be maintained as approved at all times thereafter.

The meeting concluded at 1227 hours.