

## 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 11<sup>th</sup> November 2015 at 1000 hours.

### PRESENT:-

Members:-

Councillor D. McGregor in the Chair

Councillors T. Alexander, J.A. Clifton, C.P. Cooper, M.G. Crane, M. Dooley (until Minute No. 0525(iii)), S.W. Fritchley (until Minute No. 0525(iii)), H. Gilmour, T. Munro, M.J. Ritchie (until Minute No. 0525(iii)), P. Smith, S. Statter, B. Watson (until Minute No. 0525(iv)), D. Watson and J. Wilson.

Officers:-

J. Arnold (Assistant Director – Planning and Environmental Health), C. Doy (Development Control Manager), S. Phillipson (Principal Planner) (until Minute No. 0525(ii)), J. Fieldsend (Senior Principal Solicitor), S. Chambers (Communications Manager) and A. Brownsword (Governance Officer)

### 0521. APOLOGIES

Apologies for absence were received from Councillors P.M. Bowmer, T. Connerton and B.R. Murray-Carr.

### 0522. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

### 0523. DECLARATIONS OF INTEREST

The following declaration was received:

Member	Item No.	Level of Interest
H. Gilmour	5(v) – 15/00498/FUL	Personal and Prejudicial

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### 0524. MINUTES – 14<sup>TH</sup> OCTOBER 2015

Moved by Councillor S.W. Fritchley and seconded by Councillor T. Munro

**RESOLVED** that the minutes of a meeting of the Planning Committee of Bolsover District Council be approved as a true and correct record.

### 0525. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- (i) 15/00192/VAR – Variation of condition 7 (number of residents) of planning permission 11/00596/FUL at Whitton Lodge, Chesterfield Road, Hardstoft, Chesterfield

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

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

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

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

**RESOLVED** that Application No. 15/00192/VAR be APPROVED subject to the following conditions given in précis form to be formulated in full by the Assistant Director of Planning:

1. Start within 3 years
2. Notwithstanding the provisions of the Town and Country Planning Use Classes Order the use of the site shall exclude use as a hospital, boarding school, residential college or training centre. (H104)
3. The use of the Evelyn Devonshire Cottages vehicular access route shall at all times be restricted at the site boundary to emergency or pedestrian use only in accordance with a scheme which shall have been agreed in writing with the LPA before the care home is brought into use.
4. No day care or respite care services shall take place or operate at the site.
5. The use of the annexe shall at all times be used for the resident manager of the care home or a member of staff principally employed at the site, and any dependents of such a person, and shall not be occupied independently of the care home.

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6. Prior to the use commencing, a scheme showing access and driveway improvements to maximise visibility in the critical direction shall be submitted and approved in writing by the Local Planning Authority and the approved scheme shall be implemented. The scheme should show measures to improve visibility on exit at the junction of the access serving Whitton Lodge and the B6039 and passing bay(s) on the drive.
7. Only people in need of care referred by Social Services or the NHS (including GP's) shall be receiving care at the premises and the number of adults receiving care at the premises shall not exceed 9 at any one time.
8. Craft use ancillary and no retail sales from the premises

(Development Control Manager)

- (ii) 15/00354/OUT – Residential Development with means of access from Queens Road including additional school parking area (In conjunction with the relocation and expansion of allotment gardens to land west of Hodthorpe) at Land to the East of Hodthorpe Primary School, Queens Road, Hodthorpe.

Further details and an additional recommendation were included within the Supplementary Report.

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

Mr. C. Jesson and Mr. D. Ridout attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the Bolsover District Local Plan policies, the National Planning Policy Framework, the adopted Green Space Strategy and the Supplementary Planning Document Successful Places: A guide to Sustainable Housing Layout and Design.

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

**RESOLVED** that Application No. 15/00354/OUT be DEFERRED pending completion of a S106 obligation (regarding replacement of the allotments; community woodland walk; additional parking area for the school; and interim affordable housing policy compliance; and to undertake a visibility improvement to the school access (to the east side of the access only) at the same time as and to match the works to the frontage wall when it is set back 2 metres. Such works to the School access to only be required to be undertaken by the developer subject to

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the School's / Education Authority's agreement to proceed with the works proposed on their land and delegate the decision to the Joint Assistant Director of Planning in consultation with Chair and Vice Chair of Planning.

And delegate the decision to the Assistant Director of Planning in consultation with the Chairman and Vice Chairman of Planning Committee. In the event planning permission is granted conditions including the following will be necessary (shown in précis form to be formulated in full by the Joint Assistant Director of Planning):

### Conditions

Approval of reserved matters before commencement.

Application for reserved matters to be made within 3 years and commencement triggers.

Investigation of potential ground contamination.

Phase 1 habitat survey and targeted surveys for amphibians, reptiles, badgers and notable plant species be undertaken prior to application for approval of reserved matters plus mitigation proposals (likely to include inter alia amphibian ponds on site and on relocation site).

Details of surface water and foul sewage to be approved.

*(Regard to requested conditions: No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority to demonstrate that the proposed destination for surface water accords with the hierarchy in Approved Document Part H of the Building Regulations 2000.)*

And;

*No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site, in accordance with Defra non-statutory technical standards for sustainable drainage systems (March 2015), has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing).*

Following removal to achieve access visibility, the reinstatement of the stone wall fronting the site on the back edge of the footway. A sample panel to be approved to ensure that the wall is constructed to reflect the character of the existing wall.

Provision of temporary access for construction purposes 5.5m wide, 6m radii, 2.4m x 43m splays.

New estate street access to be provided with 2 x 2m footways, 5.5m wide, 6m radii, 2.4m x 43m splays.

Provision of bin stores at entrance to shared private drives.

(Development Control Manager)

The Principal Planner left the meeting.

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### 0526. ORDER OF BUSINESS

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

Councillor M.J. Ritchie left the meeting during the following item of business.

### 0525(Cont.). APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- (iii) 15/00474/FUL - Change of use from C4 to House in Multiple Occupation (9 residents) plus retrospective permission for a first floor window in each side elevation at 83 Central Drive, Shirebrook, Mansfield, NG20 8BE

Further information was included within the Supplementary Report.

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

Mr M. Yates, Ms. C. Dale and Ms. J. Taylor attended the meeting and spoke against the application. Mr. N. Barnes attended the meeting and spoke in support of the application.

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

Moved by Councillor S.W. Fritchley and seconded by Councillor J. Wilson

**RESOLVED** that Application No. 15/00474/FUL be REFUSED on the grounds that it is contrary to Policy HOU11 criteria 1 and 2 in that it would be harmful to existing residential amenity by reason of additional general activity in the locality including vehicle parking (where on-street parking is already at a premium) and would exacerbate existing residential tensions by virtue of the likely additional noise transmission and general disturbance to the adjoining neighbours. This impact outweighs any general compliance with other policies including the supply of residential properties.

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The material consideration leading to the decision is the greater weight given to the local representations about the impact from the existing HMO and others more generally in the locality.

(Development Control Manager)

Councillors S.W. Fritchley and M. Dooley left the meeting

Having previously declared a Personal and Prejudicial interest in the following item of business, Councillor H. Gilmour vacated her seat on the Committee and sat in the public gallery during presentation of the item. She then spoke for five minutes and left the meeting while the decision was made.

(iv) 15/00498/FUL - Change of use of retail shop to fast food takeaway at 9 High Street, Barlborough, Chesterfield, S43 4EY

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 carried out.

Councillor H. Gilmour spoke against the application and then left the meeting. Mr. S. Mehat attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the Bolsover District Local Plan policies, the National Planning Policy Framework and the Historic Environment Supplementary Planning Document.

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

**RESOLVED** that Application No. 15/00498/FUL be APPROVED subject to the following conditions which are given in précis form to be formulated in full by the Assistant Director of Planning.

1. Start within 3 years
2. Installation and maintenance of the extraction system
3. Installation and maintenance of noise attenuation measures to the wall between the proposal and the attached dwelling
4. Opening hours to customers only between 5pm-11pm 7 days a week

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Note to be added advising the permission does not cover signage and any new signage may need separate advertisement consent. Consult Conservation Officer.

(Development Control Officer)

Councillor H. Gilmour returned to the meeting.

Councillor B. Watson left the meeting.

- (v) 15/00398/FUL - Retention of building for community use (renewal of a temporary permission) at Hillstown Community Centre, 12 Nesbit Street, Hillstown, Bolsover

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

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

Moved by Councillor P. Smith and seconded by Councillor M.G. Crane

**RESOLVED** that Application No. 15/00398/FUL be DEFERRED pending receipt of a satisfactory external maintenance schedule.

The meeting concluded at 1305 hours.