

**PARISH** Scarcliffe

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**APPLICATION** Retention of building for community use (renewal of a temporary permission)  
**LOCATION** Hillstown Community Centre 12 Nesbit Street Hillstown Bolsover  
**APPLICANT** Mr John King Hillstown Community Centre 12 Nesbit Street Hillstown  
**APPLICATION NO.** 15/00398/FUL  
**CASE OFFICER** Mr Chris Doy  
**DATE RECEIVED** 6th August 2015

Delegated Application Referred to Committee by: Cllr M Crane  
Reason: Condition of building and planning history

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**This application was deferred at the Committee 11<sup>th</sup> November 2015 to enable the applicants to prepare a repair schedule for the building. This would enable the Committee to consider an alternative approach to the issuing of a further temporary permission. The original report is reproduced in italics and the additional information is incorporated in normal type. The recommendation has been updated to reflect comments made at the Committee meeting and the additional information received.**

**SITE:** *Current community centre set within established grounds. Access to the facility is off Nesbit Street to an existing car park. Playing fields and a play area and other recreational facilities are adjacent to and generally accessed from this site. There are accesses to the playing fields off Mansfield Road.*

**PROPOSAL:** *Retention of the Community Centre building, which has previously benefitted from temporary consents to operate which have now expired.*

#### **AMENDMENTS**

Schedule of repairs submitted 4<sup>th</sup> January. The applicants advise that they are a voluntary organisation and have to raise funds to undertake even essential tasks. They have received some funding to undertake works. The schedule of works proposed is:

Maintenance Items	Intended date of action
Appoint contractors to repair weatherboarding	April
Appoint contractors to repair flat roof	April
Appoint Painter for complete redecoration of exterior with specialist exterior paint	April
Appoint Painter for complete redecoration of interior (subject to available funds)	May/June
Jet wash car park	June/July
Re-line parking bays of required	June/July
Check signage for wear and tear-replace if necessary	September

Annual inspection by Insurance Company of interior and exterior of building to verify suitability for use and insurance cover	November

Also submitted is an Annual Exterior Building Maintenance Checklist to identify problems and schedule necessary repairs. The schedules will be reviewed by the Centre committee on a monthly basis.

### **HISTORY (if relevant)**

*09/00309/FUL Temporary Permission for Retention of existing Community Centre building for a period of 4 years: Approved 28/9/09*

*05/00181/FUL: Brick skin and portal frame and pitched roof to building, replacement windows and demolition and re-building of part of building to create permanent building: Approved 11/5/05*

*03/00570/RETRO: Retention of community centre: Approved until 31/10/2008*

*BOL9605/0189: Extension to car park: Approved 12/7/96*

*BOL9406/0232: Two extensions to form fitness suite and store: Temporary permission granted expiring 31/12/02*

*BOL 692/274: Erection of community centre: Temporary permission granted expiring 31/12/02*

### **CONSULTATIONS**

*Parish Council: objection to the extension of time on the grounds that it is our clear understanding that the building has not got a valid and up to date structural engineers report and it may be unsafe for users. 20/10/15*

*DCC Highways: has no objections subject to continuing to impose any highway conditions previously imposed 24/9/15*

### **PUBLICITY**

*Site notice posted and 13 neighbours notified by letter. 1 letter of support received stating that the community centre deserves all the help and encouragement they can get for trying to keep the community spirit of Hillstown alive.*

*Cllr Crane has supplied photo's showing the condition of the building.*

### **POLICY**

*Bolsover District Local Plan (BDLP)*

*GEN1 Minimum Requirements for Development*

*GEN2 Impact of Development on the Environment*

*CLT1 Protection of Existing Buildings which Serve the Community*

*National Planning Policy Framework*

*Proposals that comply with policies in the development plan should be approved without delay unless a material consideration indicates otherwise. Decisions should be a balance of economic, social and environmental considerations. The policies are supportive of sustainable development.*

### **ASSESSMENT**

*This is a well established community facility which has been in operation for many years,*

*firstly operated by the Parish Council but in the last three years by the Community Centre management group.*

*An adjacent public house (The Ace of Clubs) has recently been demolished following the grant of permission for housing development on the site. Whilst there are a number of community facilities within Bolsover town centre, including public houses, this building still provides a useful community focus in Hillstown. It also supports the provision and running of the playing fields adjacent. In principle therefore the continued use is considered to comply with policy CLT1.*

*There are no issues under investigation in relation to activity at the centre, which continues to operate without impacts on its immediate neighbours. As such it complies with the aims of policies GEN1 and GEN2.*

*The only reason that the permissions on this site have been temporary is that the building is formed from pre-fabricated buildings connected together. In general terms these buildings are not considered as suitable for long term retention as they have a tendency to deteriorate quicker than conventional buildings. They can last many years with proper maintenance. The reason for imposing the temporary condition in 2009 was: The building is of a temporary nature which is not considered suitable as a permanent community facility, to ensure the site is left in an acceptable condition in the interests of the amenity of the area and in compliance with policy GEN 2 of the Bolsover District Local Plan.*

*Also guidance in the past has indicated that Councils should not keep issuing temporary consents; best practice is to issue a permanent permission or if the development is unacceptable and the impact is so detrimental that it outweighs any benefits then consider refusal.*

*The original permission for the building was granted to Hillstown Community Centre Committee but was taken on later in that same year by Scarcliffe Parish Council and at the time of the last renewal in 2009 it was still run by the PC. The permission expired in 2013. In the last two times renewals of permission there has been a note on the decision notice to applicant to the following effect:*

*The applicant is advised that whilst the Local Planning Authority are supportive of the use of the site, the temporary building cannot remain indefinitely and it's replacement with a more appropriate permanent building should be included within the budget plan for the facility.*

*This is advisory only and not binding. The Committee however were keen to encourage the finding of a long term solution given the nature of the building.*

*Since those permissions were granted ownership of the building has changed. The building continues to provide a well used community facility which needs to be given significant weight in the decision.*

*The main consideration is whether the appearance of the building is satisfactory, and if not whether the appearance is so detrimental to the amenity of the locality as to justify refusal given the beneficial use of the building. There are some areas of flaking paint and damage to the exterior fabric. The appearance is however not considered so detrimental as to justify*

*refusal. To ensure that the building does not deteriorate to a point that is severely detrimental to amenity it is recommended that a condition be attached to any permission for an exterior maintenance schedule to be agreed and implemented (principally related to maintaining the paintwork as physical damage on any building is not normally controlled under planning regulations). If the building is being generally satisfactorily maintained and its appearance does not detract from the appearance of the area then there is no reason to continue to grant temporary permissions. Subject to such a condition the proposal therefore is in line with the policies of the Bolsover District Local Plan and the thrust of policies in the NPPF. (All buildings need of general ongoing maintenance and it is not usual for the LPA to control this element; in this case it is the nature of the fabric of the building which is likely over time to require more attention than a conventionally constructed one that is considered to justify this approach).*

*The structural integrity of the building is not a planning matter; it is for the operators of the building to ensure the safety of users and comply with the applicable regulations and obtain any necessary insurance.*

The maintenance proposals appear to be a reasonable and timely attempt to respond to the concerns raised. The proposed annual inspection covers essential matters and offers a different way to ensure the maintenance of the external fabric of the building on a more regular basis than a temporary permission (which would normally be for about 5 years and so reviewed every 5 years only). Subject to the suggested condition there will be a more regular regime for repair and if necessary repairs are not implemented the use should cease and the building be removed from the site.

#### **Other Matters**

*Listed Building: n/a*

*Conservation Area: n/a*

*Crime and Disorder: no issues raised.*

*Equalities: can be beneficial to have locally available facilities*

*Access for Disabled: ramp access available*

*Trees (Preservation and Planting): n/a*

*SSSI Impacts: n/a*

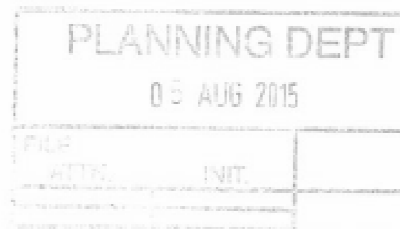
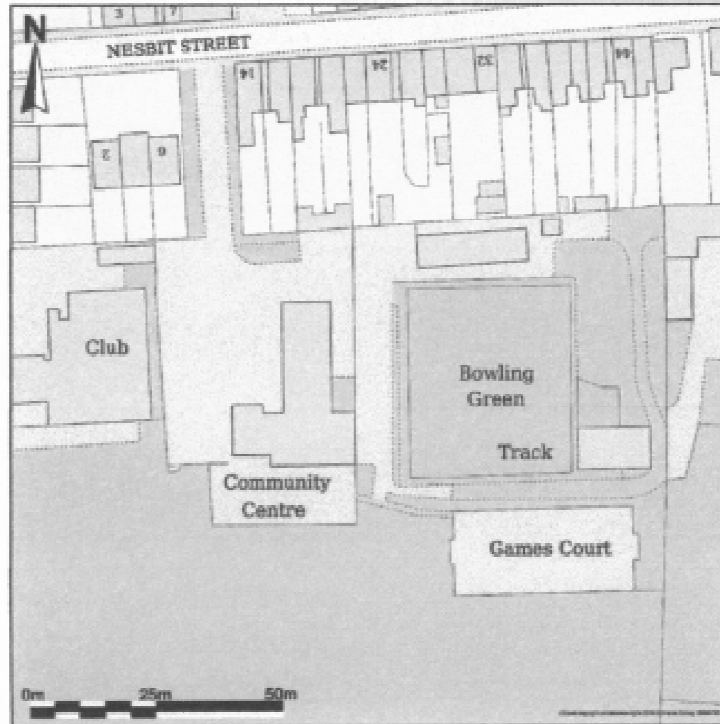
*Biodiversity: n/a*

*Human Rights: no issues raised.*

#### **RECOMMENDATION: Approve subject to the condition:**

1. The schedule for the maintenance of the exterior of the building shall be implemented within the timescales submitted to the Local Planning Authority. An annual inspection of the exterior of the building shall be carried out in accordance with the Checklist submitted and any faults identified shall be subject to a repair schedule which shall have been submitted to the LPA for approval and shall be implemented as approved. If the Checklist and associated approved schedule is not implemented then the use of the premises shall cease and the building shall be removed from the site and the land restored to a hard surfaced area level with the adjacent parking area.

**Hillstown Community Centre, 12 Nesbit Street, Bolsover,  
Chesterfield, S44 6LW**



Map shows area bounded by: 447917.28,369579.28,448058.72,369720.72 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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